

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
2011 REORGANIZATION MEETING  
JANUARY 5, 2011  
7:30pm**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Invocation: Dr. Robert K. Smyth
5. Oath of Office administered to Suzanne Cairns Wells as a member of the Borough Council of the Borough of Riverton
6. Oath of Office administered to Jeff Myers as a member of the Borough Council of the Borough of Riverton
7. Nominations for President of Council
8. 2011 Borough Council Committee Assignments-Mayor Martin
9. Mayoral appointments to specific Boards

**NEW BUSINESS**

- Res. 1-11 Temporary Appropriations for the year 2011
- Res. 2-11 Authorizing the Award of Contracts for certain Professional Services
- Res. 3-11 Appointing specific professional service contracts subject to compliance with the new Pay-To-Play law
- Res. 4-11 To provide for a business entity disclosure certification & political Contribution disclosure form for certain contractors
- Res. 5-11 Authorizing Official Depositories for the Borough
- Res. 6-11 Authorizing an Official Newspaper
- Res. 7-11 Fixing the rate of interest to be charged on Delinquent Taxes and Sewer for 2010
- Res. 8-11- Borough Appointment List
- Res. 9-10 Designating an employee to serve as the Public Agency Compliance Officer
- Res. 10-11 Authorizing a Cash Management Plan
- Res. 11-11 Appointments to the River Route Advisory Committee

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Meeting open to the public  
Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
JANUARY 12, 2011  
7:30PM**

Meeting called to order

Salute to the Flag

Open public meetings notice act statement-Mayor Martin

Minutes from December 8<sup>th</sup>

Financial Items:

Treasurer's, Finance Report & Bill List for approval

Transfer Resolution

Review of proposed agreement with Cinnaminson Township for the purchase of gasoline

Meeting open to the public

Committee Reports

Public Safety/Code Enforcement/Court-Mr. Brown

Resolution to appoint Court personnel for 2011

Streets/Sewer/Econ Dev/Recycling-Mr. Smyth

Planning/Redevelopment/School-Ms. Cairns Wells

Request received from various members of the Architectural Review Committee to eliminate their committee

Shade Tree/Park & Recreation-Mr. Myers

Review of scope of work and financial procedures to move forward with the park upgrades

Request received from Bob Sciarrotta & Dave Zaun to hold a recreation summer day camp in the park

Zoning/Bd. of Health/ Environmental-Mr. Katella

Old Business

New Business

Resolution authorizing Solicitor to file appeals-Ms Cairns Wells

Request to hold only one Council meeting in February

Correspondence

Res. To go into closed session –Personnel-Police Chief (Attorney/Client privilege)

Return to public session

Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
FEBRUARY 2, 2011  
7:30PM**

Meeting called to order

Open Public Meetings Notice Act Statement-Mayor Martin

Open session minutes from January 5<sup>th</sup> and January 12 and closed session minutes from January 12

Correspondence

Financial Items: Mr. Kinzler

Treasurer's Finance Report & Bill List for approval

Transfer Resolution

2011 Budget Update

Meeting open to the public

Committee Reports

Public Safety/Code Enforcement/Court-Mr. Brown

Amending Resolution pertaining to Patrolman Willis' salary

Update on the hiring of Special Officers

Resolution: Authorizing Aerial Larval/Adult Mosquito Control activities over the Borough

Streets/Sewer/Econ. Dev/Shared Services/Recycling-Mr. Smyth

Planning/Redevelopment/School-Ms. Cairns Wells

Shade Tree/Park & Recreation-Mr. Myers

Zoning/Bd. of Health, Environmental/Mr. Katella

Old Business

New Business

Administrative Procedural policy requests-Ms. Cairns Wells

Coverage for Borough Offices

Compliance with State's Records Retention schedule pertaining to Council meeting tape recordings

Adjournment

**BOROUGH OF RIVERTON  
SPECIAL MEETING AGENDA  
FEBRUARY 23, 2011  
7:30PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Resolution authorizing the hiring of two Special Class II Officers-Ms. Cairns Wells
5. Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
WORK SESSION  
MARCH 2, 2011  
7:30PM**

Meeting called to order  
Salute to the Flag  
Open Public Meetings Act Statement-Mayor Martin

Public Safety/Planning Items:

Review of Draft Ordinances:

To Amend Chapter 26-5 Re: probationary period for various members of the police department

To Amend Chapter 128-5 Re: the Borough's Zoning Map-zoning line issue at 101 Lippincott

Review of Mutual Aid Agreement with County Re: Emergency Services

Resolution to authorize the purchase of a new server for the Police Department at a cost of \$2463.00

Request received from Antonucci Ventures Re: parking issue at former bank lot on Harrison

Meeting open to the public

Update Re: Riverton Bicycle Races scheduled for June 12, 2011

Porch Club's request to hold a 5K walk on June 5, 2011 to benefit the Susan B. Komen Foundation (Pat Brunner and Carol McCarthy from the Porch Club present)

Streets/Sewer Issues:

Resolution to authorize the reduction in sewer charges at 218 Linden Avenue

Park Issue:

Municipal Recreation Grants (Second Round)

Comcast Cable Franchise Renewal Update

2011 Borough Directory

Preliminary agenda for March 9

Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
MARCH 9, 2011  
7:30PM**

Meeting called to order

Salute to the Flag

Open Public Meetings Notice Act Statement-Mayor Martin

Minutes from February 2 and February 23

Meeting open to the public

**Financial Items**

Review of bids received for the park upgrades

Treasurer's Finance Report & Bill List for approval

Transfer Resolution

2011 Budget Discussion-Auditor present

Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
APRIL 6, 2011  
7:30PM**

Meeting Called to Order

Salute to the Flag

Open Public Meetings Notice Act Statement-Mayor Martin

Discussion: Dog Park Proposal from the Riverton Improvement Association

**Second reading and public hearings on the following Ordinances:**

1-11 Amending Chapter 26-5 of the Borough Code regarding probationary period for police officers

2-11 Amending Chapter 128-5 Re: Zoning Map to reflect a zoning line adjustment on Block 305, Lot 1

3-11 Amending Chapter 123 regarding time limits for parking on the southeast side of Howard Street From Main to Fifth Street

Meeting open to the public

Draft Ordinances for Review: Ms. Cairns Wells

Amending Chapter 128-12 regarding the height of a building

Amending Chapter 114-8 pertaining to swimming pool setback requirements

Discussion: Reverse 911 System

Resolution to participate in the State's Firefighter Certification Program-Mr. Brown

Resolution to participate in the Community Development Block Grant program for 2012-2014-Ms. Cairns Wells

Borough Council Committee Change

Preliminary agenda for April 13th

Resolution to go into closed session-Personnel-Chief of Police Position-Attorney Client privilege-Mr. Brown

Return to public session

Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
APRIL 13, 2011  
7:30PM**

Meeting called to order

Salute to the Flag

Open Public Meeting Notice Act Statement-Mayor Martin

Minutes from March 2 and March 9

Recommendation from Public Safety Committee regarding Chief of Police position

Financial Items: Mr. Kinzler

Public Hearing on 2011 Municipal Budget (Auditor present)

Resolution amending 2011 Municipal Budget

Ordinance 4-11 CAP Ordinance-2nd reading and public hearing

First reading on the following ordinances:

7-11 Bond Ordinance for Various Capital Improvements-public hearing on May 11

8-11 Salary Ordinance-public hearing on May 11

Treasurer's, Finance report & Bill list for approval

Meeting open to the public

Committee Reports

Correspondence

Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
MAY 11, 2011  
7:30PM**

Meeting called to order

Salute to the Flag

Open Public Meetings Notice Act Statement-Mayor Martin

Open session minutes from April 6 & April 13 and closed session minutes from April 6

Treasurer's, Finance Report & Bill List for approval-Mr. Smyth

**2<sup>nd</sup> reading & public hearings on the following Ordinances:**

5-11 Definition of a height of a building-Ms. Cairns Wells

6-11 Swimming pool setback requirements-Ms. Cairns Wells

7-11 Rescinding longevity payments to employees other than police-Ms Cairns Wells

8-11 Bond Ordinance-Ms. Cairns Wells

9-11 2011 Salary Ordinance-Ms. Cairns Wells

**Resolutions**

Pertaining to the 2010 Audit Report-Mr. Smyth

Recycling Tonnage Grant Application-Mr. Smyth

Meeting open to the public

Committee Reports

Correspondence

Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
JUNE 8, 2011  
7:30PM**

Meeting called to order

Salute to the Flag

Open Public Meetings Notice Act Statement-Mayor Martin

Minutes from May 11<sup>th</sup>

Financial Items: Mr. Kinzler

Treasurer's, Finance Report & Bill List for approval

Ordinance 2011-8 Bond Ordinance-2<sup>nd</sup> reading and final adoption

Review of Energy Cost Comparisons received from the Central Energy Company

Meeting open to the public

Committee Reports

Public Safety/Enforcement/Court-Mr. Brown

Discussion: New Rules & Regulations for the Police Department

Streets/Sewer/Economic Dev./Shared Services-Mr. Smyth

Planning/Redevelopment-Ms. Cairns Wells

Park/Shade Tree-Mr. Myers

Announcement of grant received from County for Phase II of Park improvements

Zoning/Bd of Health/Environmental-Mr. Katella

Correspondence

Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
JULY 13, 2011  
7:30PM**

Meeting called to order  
Salute to the Flag  
Open public meetings act notice statement-Mayor Martin  
Minutes from June 8  
Financial Items: Mr. Kinzler  
Treasurer's, Finance Report & Bill List for approval  
Announcement of Certificate of Determination & Award for Bond Anticipation Note

Meeting open to the public

Committee Reports

Public Safety/Code Enforcement/Court-Mr. Brown  
Resolution designating two Acting Deputy Court Administrators  
Update Re: Request from Tri Boro CERT (Community Emergency Response Team)  
Discussion: New rules and regulations for the Police Department

Streets/Sewer/Shared Services/Economic Development-Mr. Smyth  
Review of proposal from T&M Association (design/permitting) for the installation of a backflow prevention device at the Wastewater Treatment Facility  
Update Re: Possible energy utility cost savings programs (electricity & solar)

Planning/Redevelopment/School-Ms. Cairns Wells  
Zoning/Environmental/Bd of Health-Mr. Katella  
Shade Tree/Park-Mr. Myers

Correspondence  
Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
AUGUST 10, 2011  
7:30PM**

Meeting called to order  
Salute to the Flag  
Open Public Meetings Notice Act Statement-Mayor Martin  
Open and closed session minutes from July 13  
Financial Items-Mr. Kinzler  
Treasurer's/Finance Report/& Bill list for approval  
Overview of 2011 Best practices Worksheets-Ms. Cairns Wells  
Proposed Pay-to Play Ordinance-Ms. Cairns Wells  
Sewer Collection status

Meeting open to the public

Committee Reports  
Public Safety/Code Enforcement/Court-Mr. Brown  
Ordinance 2011-10 New Police Department Rules & Regulations  
**2<sup>nd</sup> reading & Public Hearing**  
Proposed Proclamation in remembrance of the 10<sup>th</sup> anniversary of the 9/11 attacks

Streets/Sewer/Shared Services/Economic Development-Mr. Smyth  
2011 Road program

Planning/Redevelopment/School-Ms Cairns Wells

Shade Tree/Park-Mr. Myers  
Resolution to authorize Change Order No. 1 for the recent park improvements

Zoning/Environmental/Bd. of Health-Mr. Katella

Correspondence

Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
SEPTEMBER 14, 2011  
7:30PM**

Meeting called to order  
Salute to the Flag  
Open Public Meetings Notice Act Statement-Mayor Martin  
Minutes from August 10

Financial Items: Mr. Kinzler  
Treasurer's, Finance Report & Bill List for Approval  
Review of draft Pay-To-Play Ordinance  
Resolution authorizing the refund of property taxes for 13 Bank Avenue  
Resolution to release the maintenance bond for Riverton Square based on the recommendation from Remington, Vernick & Arango Engineers

Meeting open to the public

Committee Reports  
Public Safety/Code Enforcement/Court-Mr. Brown

Streets/Sewer/Shared Services/Economic Development-Mr. Smyth  
Possible deactivation of sewer charges for 622 Thomas Avenue

Planning/Redevelopment/School-Ms. Cairns Wells  
Discussion: Joint Land Use Board-Planning Board Solicitor Tom Coleman present

Shade Tree/Park-Mr. Myers  
Mayoral appointment of Pat Bruncker to serve on the Shade Tree Commission

Zoning/Environmental/Bd. of Health-Mr. Katella

Correspondence  
Solicitor's review of memorandum from the Burlington County Prosecutor on use of electronic communications as potential violation of the Open Public Meeting's Act

Adjournment

**BOROUGH OF RIVERTON**  
**PRELIMINARY AGENDA**  
**OCTOBER 12, 2011**  
**7:30PM**

Meeting called to order  
Salute to the Flag  
Open Public Meetings Notice Act Statement-Mayor Martin  
Minutes from September 14

Financial/Administration Items: Mr. Kinzler  
Treasurer's, Finance Report & Bill List for approval  
Ord. 2011-11 Pay-Play Ordinance-Ms. Cairns Wells  
**(2<sup>nd</sup> reading & public hearing)**

Resolution to establish guidelines for Borough Officials in the use of electronic  
Communications in compliance with the Open Public Meetings Act-Ms. Cairns Wells  
Designating an Engineer to maintain the Borough's original linen tax maps-Ms. Cairns Wells  
2012 Budget Process Review-Mr. Kinzler

Meeting open to the public

Committee Reports  
Public Safety/Code Enforcement/Court-Mr. Brown  
Resolution authorizing a curfew for October 28 through October 31<sup>st</sup>

Planning/Redevelopment/School-Ms. Cairns Wells  
Ord. 2011-12 To dissolve the Zoning Board of Adjustment and to increase the membership of the  
Planning Board to permit it to exercise all land use powers as permitted by the municipal land use  
law **(1<sup>st</sup> reading-public hearing on November 9th)**

Streets/Sewer/Shared Services/Economic Development/Recycling-Mr. Smyth  
Review of bids received for road program

Shade Tree/Park-Mr. Myers  
Tree removed by County from Broad & Main  
Grandstand reconstruction

Zoning/Environmental/Bd of Health-Mr. Katella

Old Business  
New Business

Correspondence

Adjournment



**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
NOVEMBER 9, 2011  
7:30PM**

Meeting called to order  
Salute to the Flag  
Open Public Meetings Notice Act Statement-Mayor Martin  
Minutes from October 12

Financial Items: Mr. Kinzler/Ms. Cairns Wells  
Treasurer's, Finance Report & Bill List for approval-Mr. Kinzler  
Transfer Resolution-Mr. Kinzler  
Flex Account Authorization-Ms. Cairns Wells  
Authorizing the purchase of a salt spreader-Ms. Cairns Wells

Meeting open to the public

Committee Reports  
Public Safety/Code Enforcement/Court-Mr. Brown  
Review of letter from Frank Urbano regarding the intersection of 4<sup>th</sup> & Elm Sts.  
Update on starting Police contract negotiations  
Update on possible Police Department merger with Palmyra

Streets/Sewer./Econ. Dev./Shared Services/Recycling-Mr. Smyth  
Review of 2<sup>nd</sup> round of bids for the road improvement project

Planning/Redevelopment/School-Ms. Cairns Wells  
Ordinance 2011-12 To dissolve the Zoning Board of Adjustment and increase the membership of the Planning Board **2<sup>nd</sup> reading & public hearing**

Shade Tree/Park  
Announcement of tree lighting ceremony

Zoning/Environmental/Bd. Of Health-Mr. Katella

Old Business  
New Business  
Resolution to approve the Porch Club's request to hold raffles and bingo

Correspondence  
Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
DECEMBER 14, 2011  
7:30PM**

Meeting called to order

Salute to the Flag

Open Public Meetings Notice Act Statement-Mayor Martin

Minutes from November 9

Update from representatives of the Riverton Improvement Association on the restoration and relocation of the Eagle

Financial Items: Mr. Kinzler

Treasurer's, Finance Report & Bill List for approval

Transfer Resolution

Update: 2011 Tax Collection

2012 Budget Planning

Meeting open to the public

Committee Reports

Public Safety/Code Enforcement/Court-Mr. Brown

Resolution authorizing the Mayor to sign a lease agreement with the Riverton Fire Co.

Streets/Sewer/Shared Services/Econ. Dev & Recycling-Mr. Smyth

Planning/Redevelopment/School-Ms. Cairns Wells

Zoning/Bd of Health/Environmental-Mr. Katella

Shade Tree/Park & Recreation

Old Business

New Business

Authorizing the day and time for the 2012 Reorganization meeting

Authorizing the days and times for the 2012 Council meetings

Announcement of Holiday luncheon set for December 22nd

Correspondence

Resolution to go into closed session-Contract Negotiations-New Police Contract and

Contract negotiations-Possible Police Merger with another municipality-Mr. Brown

Return to public session

Adjournment

January 5, 2011

The Reorganization meeting of the Riverton Borough Council was held on the above date. Mayor Martin presiding

**PRESENT:** Council members Katella, Brown, Smyth, Kinzler, Solicitor Bruce M. Gunn and Council members Elect-Cairns Wells and Myers

The following statement was read by Mayor Martin:

Public notice of this meeting, pursuant to the Open Public Meetings Act, has been given by the Municipal Clerk in the following manner:

(a) Having written notification of this meeting published in the Burlington County Times on December 30, 2010

(b) Posting notice of this meeting on the official bulletin board on December 21, 2010

At this time Mayor Martin introduced the Rev. Dr. Robert K. Smyth who did the invocation.

The Oath of Office was then administered by Solicitor Gunn to Suzanne Cairns Wells as a member of Borough Council.

The Oath of Office was then administered by Solicitor Gunn to Jeff Myers as a member of Borough Council.

The Oath of Office was then administered by Solicitor Gunn to Scott Reed as Fire Chief.

The Oath of Office was then administered by Solicitor Gunn to Robert Yearly as Deputy Fire Chief.

#### **NOMINATIONS FOR PRESIDENT OF COUNCIL**

Mr. Smyth nominated Ms. Cairns Wells for President of Council This was seconded by Mr. Brown. There being no further nominations, a poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

#### **2011 BOROUGH COUNCIL COMMITTEE ASSIGNMENTS**

Mayor Martin read the following assignments for 2011: **Finance/Administration (includes Insurances and Human Resources)** Kinzler\*, Smyth, Cairns Wells, **Zoning/Board of Health & Environmental** Katella\*, Myers, Brown, **Shade Tree/Park& Recreation** Myers\*, Katella, Smyth, **Public Safety/Code Enforcement/Court (includes Fire, Animal & Parking)** Brown\*, Kinzler, Cairns Wells, **Public Works/Sewer/Economic Development (includes the operation of the Wastewater Treatment Facility, Maintenance of Streets and Roads, Public Trash Collection, Street Lighting, Recycling & Grants** Smyth\*, Myers, Katella **Planning/Redevelopment**-Cairns Wells\*, Katella, Smyth, **Liaison to the 4<sup>th</sup> of July Committee**-Cairns Wells\*, **Liaison to the Board of Education**-Cairns Wells\*, **Liaison-Shared Services**-Smyth (alternate Cairns Wells)

#### **MAYORAL APPOINTMENTS TO SPECIFIC BOARDS AND COMMISSIONS**

Mayor Martin made the following appointments for 2011: Zoning Board of Adjustment-Regular Member- Term 4 years-Kerry Brandt 12-31/14, Zoning Board of Adjustment-Alternate Member-Two year term-Deborah Weaver-12/31/12, Municipal Planning Board-Regular Member-Class IV- Term 4 years-Joseph Creighton, Municipal Planning Board-Regular Member-Class II-Term 1 year-Mary Lodato, Shade Tree Commission-Term 3 years-Eric Berndt, Architectural Review Committee-Term 4 Years-Nancy Siefert, Environmental Commission-regular Member Term 3 Years-Michael

Robinson and Michael Veneziano, Environmental Commission-Alternates Term 2 Years- Eric Crawbuck and Patricia DeVito-Moore and Park & Recreation Term 5 Years-Joseph Creighton.

**NEW BUSINESS**

**RESOLUTION 1-11  
TEMPORARY BUDGET APPROPRIATIONS FOR THE YEAR 2011  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Myers. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**RESOLUTION 2-11  
A RESOLUTION AUTHORIZING THE AWARD OF CONTRACTS FOR  
CERTAIN PROFESSIONAL SERVICES  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**RESOLUTION 3-11  
A RESOLUTION DESIGNATING CERTAIN PROFESSIONALS IN  
COMPLIANCE WITH THE PAY TO PAY STATUTE  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**RESOLUTION 4-11  
A RESOLUTION TO PROVIDE FOR A BUSINESS ENTITY DISCLOSURE  
CERTIFICATION AND POLITICAL CONTRIBUTION DISCLOSURE FORM  
FOR CERTAIN CONTRACTORS  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Smyth, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**RESOLUTION 5-11  
A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF  
RIVERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY  
CONCERNING THE DESIGNATION OF DEPOSITORIES FOR THE  
BOROUGH ACCOUNTS  
(IN FULL IN RESOLUTION BOOK)**

The above Resoluion was read by title only by Mr. Katella, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Brown aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**RESOLUTION 6-11**  
**A RESOLUTION APPOINTING AN OFFICIAL NEWSPAPER OF THE**  
**BOROUGH OF RIVERTON**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Myers, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**RESOLUTION 7-11**  
**A RESOLUTION FIXING THE RATE OF INTEREST TO BE CHARGED ON**  
**DELINQUENT TAXES AND DELINQUENT SEWER**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**RESOLUTION 8-11**  
**2011 BOROUGH APPOINTMENTS**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**RESOLUTION 9-11**  
**A RESOLUTION OF THE BOROUGH OF RIVERTON DESIGNATING AN**  
**EMPLOYEE TO SERVE AS THE PUBLIC AGENCY COMPLIANCE OFFICER**  
**FOR THE BOROUGH OF RIVERTON PURSUANT TO THE REQUIREMENTS**  
**OF P.L. 1975.C.127**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Brown, who moved for its adoption. This was seconded by Mr. Katella. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**RESOLUTION 10-11**  
**A RESOLUTION AUTHORIZING THE ADOPTION OF A CASH**  
**MANAGEMENT PLAN**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**RESOLUTION 11-11**  
**A RESOLUTION APPOINTING TWO RIVERTON RESIDENTS TO SERVE ON**  
**THE 2011 RIVER ROUTE ADVISORY COMMITTEE**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Myers, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth abstained, Mr. Kinzler aye and Mr. Myers aye.

**UPDATE ON 2011 BUDGET-Mr Kinzler**

Mr. Kinzler reported that the Finance Committee met with all Department Heads to review their budget requests. Preliminarily, other than salaries, (still to be reviewed and discussed) we are looking pretty good. Pensions and benefits will be major hits for this budget. Mr. Kinzler stated that that we were able to save costs with our garbage/trash contract, so that will help. Some of our debt service costs will go down also. The state aid issue is still an unknown. Mr. Kinzler stated that we might need a working session with the Auditor maybe sometime in February.

Mr. Kinzler reported that our Tax Collection rate for 2010 (97.5%) was met by the end of the year. Mr. Kinzler acknowledged the effective job the staff in the tax collection office did in trying to get the delinquent taxpayers to submit their payments by the end of the year.

Mr. Kinzler reported that he will be forwarding the budget figures he has so far to Council for their review.

**MEETING OPEN TO THE PUBLIC**

**Joe Augustyn** publicly thanked Council for all of their efforts. Mr. Augustyn brought to Council's attention that a potential Fire Prevention Grant is available. Fire Chief Reed responded that he was already aware of that.

**Scott Reed** also publicly thanked Council for all of their efforts.

There being no further business to discuss, Mr. Brown moved that the meeting be adjourned. This was seconded by Ms. Cairns Wells, with all present voting in the affirmative.

Mary Longbottom, RMC  
Municipal Clerk

January 12, 2011

The regular meeting of the Riverton Borough Council was held on the above date. Mayor Martin presiding.

**PRESENT:** Council members Katella, Brown, Smyth, Myers and Solicitor Bruce M. Gunn

**ABSENT:** Council members Cairns Wells and Kinzler

The following statement was read by Mayor Martin:

Public notice of this meeting, pursuant to the Open Public Meetings Act, has been given by the Municipal Clerk in the following manner:

(a) Having written notification of all meetings to be held in 2011 published in the Burlington County Times on December 30, 2010

(b) Posting written notice on the official bulletin board on January 3, 2011

The minutes from December 8<sup>th</sup> were then presented. Mr. Brown moved that these minutes be approved as submitted. This was seconded by Mr. Smyth. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells absent, Mr. Smyth aye, Mr. Kinzler absent, and Mr. Myers aye.

**FINANCE REPORT AND BILL LIST FOR APPROVAL**

Mr. Smyth moved that the attached report be approved as submitted. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells absent, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

The Treasurer reported that there would not be a Treasurer's Report or Transfer Resolution this month.

**RESOLUTION 12-11**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SHARED SERVICES AGREEMENT FOR THE PURCHASE OF GASOLINE AND DIESEL FUEL FROM THE TOWNSHIP OF CINNAMINSON  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells absent, Mr. Smyth aye, Mr. Kinzler absent, and Mr. Myers aye.

**MEETING OPEN TO THE PUBLIC**-There was no public comment at this time.

**COMMITTEE REPORTS**

**PUBLIC SAFETY/CODE ENFORCEMENT/COURT**-Mr. Brown

There was no police report submitted for the month of December.

Mr. Brown read a report for the month of December that was submitted by Deputy Fire Chief, Robert Yearly. Fire calls for the month 17, drills 4, calls in town 6 and calls out of town 11.

Mr. Brown read a report for the month of December that was submitted by Court Administrator Jackie Gleason. Total receipts for the month amounted to \$9,072.11. The total amount disbursed to Riverton amounted to \$4,611.16.

**RESOLUTION 13-11**

**A RESOLUTION APPOINTING COURT PERSONNEL  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by Mr. Brown, who moved for its adoption. This was seconded by Mr. Katella. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells absent, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

**STREETS/SEWER/ ECON DEV/RECYCLING-Mr. Smyth**

Mr. Smyth reported that representatives from Hutchison Mechanical were out on Monday to do an energy audit of the municipal building and the wastewater treatment facility. The funding is coming from the stimulus package from the Federal government. There was no charge for the audit. We will probably find in their report that there will be some improvements to be made, such as new lighting, a new air conditioning system, etc. Council will be kept apprised of this issue.

**PLANNING/REDEVELOPMENT/SCHOOL-Ms. Cairns Wells**

**REQUEST RECEIVED FROM TWO MEMBERS (WALTER CROFT AND ELMER ADAMS) OF THE ARCHITECTURAL REVIEW COMMITTEE (ARC) TO ELIMINATE THEIR COMMITTEE**

Mayor Martin read this letter in full (copy on file with the Municipal Clerk). Mayor Martin reported that this issue was discussed at the recent Planning Board, who asked for Council's input.

Mr. Smyth commented that this issue was talked about a number of years ago and that the argument was that the ARC was really an advisory committee. Mr. Smyth thinks there is a value in having the ARC whether or not there is any "teeth" in what they recommend. Mr. Smyth thought it might be time to change some of the people who serve on the ARC. Maybe these members are burnt out.

Mr. Katella commented that a lot of the development we have had in recent years has been done with respect to the character of the town. In general, people have approached the Planning Board in a manner that they were willing to work with us even on a level of design. Mr. Katella stated that that's not always been the case. Mr. Katella believes the ARC plays a vital role in assisting the Borough in this regard. Mr. Katella agrees with Mr. Smyth that maybe we do need some new members.

Mr. Brown asked if the ARC had by-laws. The Clerk responded that there is an Ordinance on the books which spells out their responsibilities.

Mr. Smyth thought we shouldn't disband the ARC but thought we could reformulate it.

Mr. Myers stated that he is not one for over regulation, but after listening to this discussion, he feels good points were made and maybe some new blood pumped into the committee would make a difference.

Mr. Katella also suggested meeting with these members to go over what can be done to keep the committee more viable. Mayor Martin will bring these suggestions back to the Planning Board for further review.

**SHADE TREE/PARK & RECREATION-Mr. Myers**

Mr. Myers reviewed the scope of work for the park upgrade project for Council's information. Mr. Myers reported that the Borough has received a reimbursable grant from the County for this project in the amount of \$250,000.00.

Mr. Myers reported that we had placed a large percentage of the projected costs for these upgrades in our capital budget before we knew that we would be receiving this grant amount. Our Auditor has indicated that Council can authorize Land Engineering to advertise for the receipt of bids for this project; however, we will need to decide at some

point (prior to any payment to a contractor) if we want to borrow the additional required monies from ourselves or go out for a Bond Anticipation or a Grant Anticipation Note.

**RESOLUTION 14-11**

**A RESOLUTION AUTHORIZING LAND ENGINEERING TO ADVERTISE FOR BIDS FOR RIVERTON PARK IMPROVEMENTS  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Myers, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells absent, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

**BANK & LINDEN AVENUE POCKET PARK UPGRADES**

Mr. Myers reported that a letter was sent to the Bridge Commission (they will be funding this project) in November requesting that the materials to be used be upgraded to closely match what we have in the Borough. Mr. Myers has been in contact with the Engineer for this project who confirmed that the Bridge Commission approved this request. Hopefully, the upgrades will be done by the 4<sup>th</sup> of July celebration.

Mr. Myers reported that during the demolition of 622 Thomas Avenue, one of the contractor's trucks damaged a Borough Tree. Mr. Gunn reported that the contractor has paid the \$200.00 damage fee.

Mr. Myers reported that Barry Emens has been asked to join the New Jersey Board of Certified Tree Experts as the only non certified tree expert of the Board. That's quite an accomplishment and speaks of how well he is respected throughout the state.

Mr. Myers provided a summary of the 2010 Shade Tree activity for Council's information.

**REQUEST RECEIVED FROM BOB SCIARROTTA & DAVE ZAUN TO HOLD A RECREATION SUMMER DAY CAMP IN THE PARK**

Mr. Myers reported that the above referenced Riverton School teachers are once again requesting permission to host a recreation summer day camp at Riverton Park in 2011. After a discussion, it was the consensus to permit this camp to be held after the agreement and required insurance documents are signed and submitted to the Borough.

**RESOLUTION 15-11**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN ROBERT SCIARROTTA AND DAVID ZAUN FOR THE OPERATION OF THE 2011 RECREATION SUMMER DAY CAMP  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Myers, who moved for its adoption. This was seconded by Mr. Katella. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells absent, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

**ZONING/BD. OF HEALTH/ENVIRONMENTAL-Mr. Katella**

Mr. Katella reported that a 2011 budget request has been submitted by the Chair of the Zoning Board of Adjustment.

Mr. Katella reported that the Zoning Board had to revisit the application of BWC, Inc. regarding the construction of three houses on Cinnaminson Street. The original application did not include a request for setback relief.

**OLD BUSINESS-None**

## **NEW BUSINESS**

### **RESOLUTION 16-11**

#### **A RESOLUTION AUTHORIZING THE SOLICITOR OF THE BOROUGH OF RIVERTON TO FILE APPEALS, OMITTED AND ADDED ASSESSMENT APPEALS, AND ROLLBACK COMPLAINTS WITH THE BURLINGTON COUNTY BOARD OF APPEALS (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Myers. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells absent, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

#### **REQUEST TO HOLD ONLY ONE COUNCIL MEETING IN FEBRUARY**

Mayor Martin reported that he is asking Council to consider having only one meeting in February. Mr. Kinzler, Chair of the Finance Committee, has indicated that he does not think we will need a detailed review of the budget for next month. We are still waiting to find out how much state aid (if any) we will be receiving. Mayor Martin informed Council that Mr. Kinzler would be unavailable for the February 9<sup>th</sup> meeting; therefore, if Council concurs, it is being requested that we only hold the February 2<sup>nd</sup> meeting. Council concurred with this. The Clerk will advertise the cancellation of this meeting in the Burlington County Times.

### **RESOLUTION 17-11**

#### **A RESOLUTION AUTHORIZING THE CANCELLATION OF BOROUGH COUNCIL'S FEBRUARY 9, 2011 MEETING (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells absent, Mr. Smyth aye, Mr. Kinzler absent, and Mr. Myers aye.

#### **CORRESPONDENCE-NONE**

#### **MEETING OPEN TO THE PUBLIC**

**CARA VANDY** asked if there was a meeting last week. Mayor Martin responded that it was the reorganization meeting. The dog park issue was not discussed at that meeting. **GENE BANDINE** complimented the Public Works Department for their efforts in the removal of the snow during the recent storm.

Mr. Bandine complained that recycling at 522 Main Street hasn't been picked up. Mr. Bandine was informed that he should contact the County regarding this issue.

### **RESOLUTION 18-11**

#### **A RESOLUTION PERMITTING THE EXCLUSION OF THE PUBLIC FROM A MEETING IN CERTAIN CIRCUMSTANCES PER SECTION 8 OF THE OPEN PUBLIC MEETINGS ACT C.231 P.L. 1975 (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Brown, who moved for its adoption. This was seconded by Mr. Smyth, with all present voting in the affirmative. It should be noted that a personnel matter (Police Chief) Attorney/Client privilege would be discussed.

At this time Mr. Brown moved that we return to public session. This was seconded by Mr. Katella, with all present voting in the affirmative.

**RESOLUTION 19-11**

**A RESOLUTION ACCEPTING THE RESIGNATION OF GREGORY WILLIS  
AS CHIEF OF POLICE  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Brown, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells absent, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye. Mr. Brown reported that, until further notice, Patrolman John Shaw would be the Officer in Charge of the Police Department.

There being no further business to discuss Mr. Katella moved that the meeting be adjourned. This was seconded by Mr. Smyth, with all present voting in the affirmative.

Mary Longbottom, RMC  
Municipal Clerk

February 2, 2011

The regular meeting of the Riverton Borough Council was held on the above date.  
Mayor Martin presiding.

**PRESENT:** Council members Brown, Cairns Wells, Smyth, Kinzler (arrived at 7:33pm),  
Myers (arrived at 7:45pm) and Solicitor Bruce M. Gunn

**ABSENT:** Council member Katella

The following statement was read by Mayor Martin:

Public notice of this meeting, pursuant to the Open Public Meetings Act, has been given  
by the Municipal Clerk in the following manner:

- (a) Having written notification of all meetings to be held in 2011 published in the  
Burlington County Times on December 30, 2010
- (b) Posting written notice on the official bulletin board on January 3, 2011

The open session minutes from January 5 and January 12 and the closed session  
minutes from January 12 were then presented. Mr. Brown moved that these minutes be  
approved as submitted. This was seconded by Mr. Smyth. A poll vote was then taken.  
Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler  
absent and Mr. Myers absent.

**FINANCIAL ITEMS:** Mr. Kinzler

**UPDATE ON 2011 BUDGET**

Mr. Kinzler reported that right now we are looking at a 1.5% expense increase.  
The revenue side will need to be reviewed by Council. Mr. Kinzler reported that he has  
also layered in the police contact numbers into the budget. Mr. Kinzler reported that he  
has received information from our Auditor regarding our fund balance which he will be  
addressing. Mr. Kinzler commented that he thought we would be in a nice position in  
terms of our fund balance. Last year we kept the taxes flat by utilizing the fund balance.  
We might need to consider that option this year. Mr. Kinzler stated that he would  
distribute a draft budget to Council and our auditor. Mr. Kinzler stated that we are still  
waiting to hear about the State Aid allocations before we have a full budget review  
session with our Auditor. Council will be kept apprised of this issue.

**TREASURER'S, FINANCE REPORT & BILL LIST FOR APPROVAL**

Mr. Kinzler moved that the attached bill list for the month of January be approved  
as submitted. This was seconded by Mr. Brown. A poll vote was then taken. Mr.  
Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye  
and Mr. Myers absent. The Treasurer reported that the bank statements have not been  
received and that is why there was no Treasurer's Report or Finance Report.

**RESOLUTION 20-11**

**TRANSFER RESOLUTION**

**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Kinzler, who moved for its  
adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Mr. Katella  
absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr.  
Myers abstained.

**MEETING OPEN TO THE PUBLIC**-There was no public comment at this time

## **CORRESPONDENCE**

### **REVIEW OF LETTERS RECEIVED FROM PALMYRA'S MAYOR PERTAINING TO THE POSSIBLE IDEA OF REVISITING A MERGER BETWEEN RIVERTON'S AND PALMYRA'S POLICE DEPARTMENTS**

Mr. Brown stated that a police study was prepared by the Patriot Consulting Company for Cinnaminson, Palmyra and Riverton and completed in February of last year. Mr. Brown provided an overview of the process of how the study was conducted.

Mr. Brown stated that the study found that regionalization would not be feasible at this time. The recommendations were based on the following three considerations: lack of financial benefit, lack of operational benefit and the unpredictable operations and challenges. Mr. Brown stated that the study indicated that one of the obstacles presented for shared services is the uncertain nature of the redevelopment plans in Palmyra.

Mr. Brown reported that all of the police officers were interviewed in all of the towns. Mr. Brown reported that the Riverton Police Department was of the opinion that our residents would not get the personalized service that many are accustomed to already. Mr. Kinzler stated that one of the goals in considering a merger would be to have had a meaningful financial impact, which the study concluded was not there.

Ms. Cairns Wells stated that Mayor Gural's letter referenced that if a merger were to take place, Palmyra would be able to accommodate all of our present officers. However, Ms. Cairns Wells stated that she didn't see where the cost savings would be to Riverton by doing this, given the costs of the officer's salaries, benefits, etc. Ms. Cairns Wells referenced the police study which stated that there was no economic benefit to a merger. Ms. Cairns feels we would lose all control by merging. It would not be our Police Department and we would have not a say.

Mr. Smyth stated that when a police department merger is decided you would enter into a multi year contract with the lead town. Sometimes, as the costs go up in the lead town, the contract changes and it could cost a lot more depending on their crime statistics, redevelopment expansion, etc. Mr. Smyth believes it is a big financial risk.

After additional discussion, it was the consensus of Council that we would not be interested in re opening the police department merger discussions with Palmyra at this time. It was also the consensus of Council that the Public Safety Committee should draft a response to Palmyra's Mayor. The letter is to be reviewed by the Governing Body prior to it being forwarded onto him.

**Andrew Johnson** thanked Council for their decision not to consider a merger with Palmyra.

## **COMMITTEE REPORTS**

### **PUBLIC SAFETY/CODE ENFORCEMENT/COURT-Mr. Brown**

Officer in Charge, John Shaw read a report for the month of January 2011. Vehicle Mileage 1385, Juvenile Arrests 0, Adult Arrests 10 (Contempt 9 and DUI 1), Motor Vehicle Accidents 4, Motor Vehicle Stops 40, Motor Vehicle Warnings 12, Motor Vehicle Summonses (Riverton) 28, Alarms 12, Assistance to Other Agencies 26, Animal Complaints 5, Fire Calls 9, EMS Calls 36, Unattended Deaths 1, Criminal Cases 19, Incidents 222, Domestic 6, Thefts 3, Burglaries 0, Assaults 0, Sexual Assaults 0, Criminal Mischief 1, Robberies 0, Miscellaneous Calls 193, Total calls Dispatched 315, Incidents 222 and Quick Calls 93.

Mr. Brown reported that we received 11 resumes for the Special Officer, Class II positions. Interviews were held and background checks are being done. As soon as this process is completed a recommendation will be made to Council.

Regarding Code Enforcement, Mr. Brown asked the Solicitor to update Council on the violations at 207 Bank Avenue (owned by Tom Dolecky). Mr. Gunn responded that the Court has given Mr. Dolecky 60 days from January 7, 2011 to complete the repairs as set forth in the engineer's report. Mr. Gunn will keep Council apprised of this issue.

Mr. Gunn reported that he would be forwarding a copy of a court order which amends the judgment against the owners of 622 Thomas Avenue to include the costs of the demolition. Any purchaser of this property should be aware of the lien which will be recorded on a statewide basis.

**RESOLUTION 21-11**  
**A RESOLUTION AUTHORIZING AERIAL LARVAL/ADULT MOSQUITO**  
**CONTROL ACTIVITIES OVER THE BOROUGH OF RIVERTON**  
**DURING 2011**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Brown, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**RESOLUTION 22-11**  
**A RESOLUTION AMENDING RESOLUTION 19-11 RELATIVE TO THE 2011**  
**COMPENSATION FOR GREGORY WILLIS**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Brown, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler nay, and Mr. Myers aye.

**STREETS/SEWER/ECON. DEV/SHARED SERVICES-Mr. Smyth**  
**ANNOUNCEMENT OF MUNICIPAL AID GRANT RECEIVED FOR ROAD**  
**IMPROVEMENTS**

Mr. Smyth reported that we received written notification that the Borough was selected to receive a \$175,000.00 grant from the Department of Transportation's Municipal Aid program. Mr. Smyth stated that the Borough's submitted application for this grant included the following roads for overlaying and milling: South Broad Street from Elm Terrace to Thomas Avenue, Cinnaminson Street from Broad Street to Fifth Street, Bank Avenue from Morgan Avenue to Howard Street and Highway Avenue from Thomas Avenue to Main Street.

Mr. Smyth reported that Hutchison Mechanical still has not given us the results of their Energy Audits (no charge) that were done at the municipal building and at the public works department. Once received, this will show us the recommended cost estimates to do the improvements at these locations. After that we could ask the school to do an energy audit (at not cost) and if there is additional money from these grants that we will not utilize, we could offer funding to the school for proposed improvements there. Council will be kept informed.

## **RESOLUTION 23-11**

### **A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SOLID WASTE CONTRACT WITH THE BURLINGTON COUNTY FREEHOLDERS FOR THE CONTINUATION OF RECYCLING AND SOLID WASTE DISPOSAL SERVICES FOR THE CALENDAR YEAR 2011 (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Myers. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

Mr. Smyth reported that a letter was received from the residents of the 600 block of Thomas thanking the Public Works Department for the great job they did removing the snow during the recent storms. Mayor Martin commented that we also received a letter from Gloria Moorhouse thanking the Public Works Department for all their efforts.

#### **PLANNING/REDEVELOPMENT/SCHOOL- Ms. Cairns Wells**

Mr. Cairns Wells reported that the Planning Board held their reorganization meeting last month. Ms. Cairns Wells reported that the Board has not chosen an Engineer at this time. The Board had a few issues with their current Engineering firm (Stout & Caldwell) and they are looking at proposals from other firms to consider.

Regarding the COAH issue, Ms. Cairns Wells reported that we have not received any direction from the State on how to proceed. It is a wait and see issue.

Ms. Cairns Wells was just informed by the school that they are planning to re-landscape (ecologically) around the school building. The cost estimate is almost \$7,300.00 and the school is hoping to get a lot of donations to defray the costs. Ms. Cairns Wells did raise concern over ripping out everything that is presently there. Ms. Cairns Wells stated that she needs to find out more information regarding this issue.

Mayor Martin commented that the possible elimination of the Architectural Review Committee (ARC) had been discussed by Council and the Planning Board. The consensus of both was to keep the ARC. Mayor Martin has talked to Hank Croft a member, and he is willing to continue serving on this committee. However, Mr. Croft made a recommendation to only hold ARC meetings on an as needed basis and not once a month. Ms. Cairns Wells stated that the Planning Board would be reviewing our present ordinance pertaining to the ARC for possible recommended changes.

#### **SHADE TREE/PARK& RECREATION-Mr. Myers**

Mr. Myers reported that Land Engineering is preparing the specifications for the park upgrades and will be forwarding them onto our Solicitor for his review and approval before they advertise for the receipt of bids.

#### **ZONING/BD OF HEALTH/ENVIRONMENTAL-Mr. Katella**

In Mr. Katella's absence, Ms. Cairns Wells reported that the Zoning Board's 2011 budget request has been revised and will be reviewed during the budget process.

Ms. Cairns Wells reported that last year the Board was asked to hear an interpretation regarding the property located at 408 Main Street. At this point no escrow monies can be collected for an issue of this type. Ms. Cairns Wells reported that there was a lot of review that had to be done by the Board's attorney, etc. that had to be paid directly from the Zoning Board's budget. Ms. Cairns Wells reported that the Board would be reviewing whether situations of this type should require escrow charges. Ms.

Cairns Wells reported that our present zoning ordinance would have to be amended to reflect any changes. Council will be kept apprised of this issue.

**OLD BUSINESS-NONE**

**NEW BUSINESS**

**ADMINISTRATIVE PROCEDURAL POLICY REQUESTS-Ms. Cairns Wells  
COVERAGE FOR BOROUGH OFFICES**

Ms. Cairns Wells reported that the Clerk and Treasurer have asked for a policy to be implemented should there be no coverage for the Borough Offices on a given day. Ms. Cairns Wells reminded Council that they are the only full-time people in the office, and that while this situation has never come up, it is important to have a policy in place to address it. After a short discussion, it was the consensus of Council that should an emergent situation arise where there would be no coverage on a given day, that Borough Offices would be closed.

**COMPLIANCE WITH STATE'S RECORDS RETENTION SCHEDULE  
PERTAINING TO COUNCIL TAPE RECORDINGS**

The Clerk reported that there has been an unwritten policy to retain the tape recordings of the council meetings indefinitely. The Clerk reported that the State's records retention schedules permits us to hold onto these tapes for 80 days or until the minutes are approved, whichever is later. The Clerk reported that a large percentage of the tapes being retained are virtually worthless because the equipment that we've utilized in the past (court equipment) we no longer have to play them back. The Clerk is looking for some guidance from Council as to how best to proceed. The Clerk stated that space is also an issue here regarding the retention of all of these tapes. After a short discussion, it was the consensus of Council to keep them for one year and then make the request to the State to destroy them.

**RESOLUTION 24-11**

**A RESOLUTION AUTHORIZING THE DESTRUCTION OF AUDIO TAPES OF  
BOROUGH COUNCIL MEETINGS AFTER ONE YEAR  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

There being no further business to discuss, Mr. Brown moved that the meeting be adjourned. This was seconded by Ms. Cairns Wells with all present voting in the affirmative.



Mary Longbottom, RMC  
Municipal Clerk

February 23, 2011

A special meeting of the Riverton Borough Council was held on the above date. Mayor Martin presiding.

**PRESENT:** Council members Cairns Wells, Smyth & Myers

**ABSENT:** Council members Katella and Kinzler

The following statement was read by Mayor Martin:

Public notice of this meeting, pursuant to the Open Public Meetings Act, has been given by the Municipal Clerk in the following manner:

(a) Having written notification of this meeting published in the Burlington County Times on February 21, 2011

(b) Posting written notice of this meeting on the official bulletin board on February 18, 2011

Ms. Cairns Wells announced that tonight's meeting was solely to authorize the hiring of two Class II Special Officers. Officer in Charge John Shaw provided those in attendance with background information on the successful candidates for these positions.

**RESOLUTION 25-11**

**A RESOLUTION AUTHORIZING THE APPOINTMENT OF ANDREW M. EINSTEIN AND JOHN A LAZZAROTTI AS CLASS II SPECIAL OFFICERS FOR THE BOROUGH OF RIVERTON FOR THE REMAINDER OF 2011  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Mr. Katella absent, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye. The Municipal Clerk administered the Oath of Office to both Mr. Lazzarotti and Mr. Einstein.

Ms. Cairns Wells moved that the meeting be adjourned. This was seconded by Mr. Smyth, with all present voting in the affirmative.



Mary Longbottom, RMC  
Municipal Clerk

March 2, 2011

The work session of the Riverton Borough Council was held on the above date. Mayor Martin presiding.

**PRESENT:** Council members Cairns Wells, Smyth, Myers and Solicitor Bruce M. Gunn

**ABSENT:** Council members Katella and Kinzler

The following statement was read by Mayor Martin:

Public notice of this meeting, pursuant to the Open Public Meetings Act, has been given by the Municipal Clerk in the following manner:

(a) Having written notification of all meetings to be held in 2011 published in the Burlington county Times on December 30, 2010

(b) Posting written notice on the official bulletin board on January 3, 2011

At this time Mayor Martin read a letter of resignation from Councilman William C. Brown effective February 11, 2011. Mayor Martin stated that there were personal issues involved with this decision; however Mr. Brown has now indicated that the situation has changed and he would like to stay on Council.

Mr. Gunn stated that once Councilman Brown submitted his written resignation, the Clerk duly notified the proper parties (both the Chairs of the Republican and Democratic parties as well as the County Clerk) of a vacancy on Borough Council. Since Mr. Brown is a member of the Republican Party, the Riverton Republican Municipal Committee had 15 days to submit three nominees to Council for the selection of a successor to fill this vacancy. Mr. Gunn stated that since no names were submitted, the Governing Body can fill the vacancy by appointment of a successor from the same political party which nominated the incumbent whose office has become vacant. Mr. Gunn stated that, statutorily, because Mr. Brown had two years left on his term, any appointment that Council makes would only be for the remainder of 2011. A candidate would then have to be chosen to be placed on the November 2011 ballot to finish out this term.

#### **RESOLUTION 26-11**

#### **A RESOLUTION APPOINTING WILLIAM C. BROWN JR. TO FILL A VACANCY ON BOROUGH COUNCIL UNTIL DECEMBER 31, 2011 (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Myers. A poll vote was then taken. Mr. Katella absent, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

The oath of Office was then administered by Solicitor Bruce Gunn to Mr. Brown as a member of Borough Council.

#### **REVIEW OF DRAFT ORDINANCES: TO AMEND CHAPTER 26-5 RE: PROBATIONARY PERIOD FOR VARIOUS MEMBERS OF THE POLICE DEPARTMENT**

Ms. Cairns Wells stated that the Public Safety Committee, as well as our Special Counsel for Police Matters, is recommending that Council consider this amendment. Ms. Cairns Wells explained that this proposed amendment would codify the current practice of providing for a probationary period of one year for new hires to the Police Department with an option of Council to extend the probation for an additional six months. This Ordinance further provides for a one year working probationary period for all employees who are promoted with evaluations by the Public Safety Committee of the promoted

employee's performance in their promotional position based upon criteria related to the job description. It was the consensus of Council to agree to this amendment.

**ORDINANCE 1-11**

**AN ORDINANCE AMENDING CHAPTER 26-5 OF THE CODE OF THE BOROUGH OF RIVERTON**

The above Ordinance was read by title only for the first time by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye. Second reading and a public hearing on this Ordinance is scheduled for April 6, 2011.

**TO AMEND CHAPTER 128-5 RE: THE BOROUGH'S ZONING MAP-ZONING LINE ISSUE AT 101 LIPPINCOTT AVENUE**

Ms. Cairns Wells stated that this proposed amendment has been reviewed by the Planning Board, who have endorsed this change. Ms. Cairns Wells explained that this amendment eliminates the zoning line (incorrectly drawn on the current zoning map) which bisects Lot 1 of Block 305 (101 Lippincott Avenue) and provides that all of Lot 1 of Block 305 be included in the R-15 Zoning District. It was the consensus of Council to agree to this amendment.

**ORDINANCE 2-11**

**AN ORDINANCE IN THE BOROUGH OF RIVERTON AMENDING THE OFFICIAL ZONING MAP TO REFLECT A ZONE LINE ADJUSTMENT ON BLOCK 305 LOT 1 IN THE BOROUGH OF RIVERTON**

The above Ordinance was read by title only for the first time by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye. Second reading and a public hearing is scheduled for April 6, 2011. Mr. Gunn stated that Council would need to receive a Resolution of endorsement for this Ordinance from the Planning Board prior to the public hearing. Ms. Cairns Wells responded that she would make sure that the Board complied with this.

**TO AMEND CHAPTER 123, ARTICLE II AND ARTICLE III, SCHEDULE IV TO PROVIDE TIME LIMITS FOR PARKING ON THE SOUTHEAST SIDE OF HOWARD STREET**

Ms. Cairns Wells explained that this proposed amendment would limit the time for parking on the southeast side of Howard Street from the southeast intersection of Main Street to 15 minutes between 10:00 am and 10:00pm and to 120 minutes between 8:00am to 6:00pm except Saturdays and Sundays on the remainder of the southeast side of Howard Street to the driveway of the Riverton Fire House. Ms. Cairns Wells reported that the businesses along this area and the police department have been consulted regarding these proposed changes. It was the consensus of Council to agree to this amendment.

**ORDINANCE 3-11**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY AMENDING CHAPTER 123, ARTICLE II AND ARTICLE III, SCHEDULE IV TO PROVIDE TIME LIMITS FOR PARKING ON THE SOUTHEAST SIDE OF HOWARD STREET.**

The above Ordinance was read by title only for this first time by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye. Second reading and a public hearing on this Ordinance is scheduled for April 6, 2011.

**PORCH CLUB'S REQUEST TO HOLD A 5K WALK ON JUNE 5, 2011 TO BENEFIT THE SUSAN B. KOMEN FOUNDATION (PAT BRUNKER AND CAROL MCCARTHY FROM THE PORCH CLUB PRESENT)**

Both Ms. Bruncker and Ms. McCarthy provided Council with an overview of their request, which Council reviewed and discussed. They are calling this event "Paint the Porch Pink". Ms. McCarthy provided a proposed sidewalk walk route through the Borough and stressed the fact that no street closures would be required. It was the consensus of Council to approve this event, with the caveats that the Porch Club would supply the Borough with a certificate of insurance naming the Borough as an additional insured with respect to this event and that the Porch Club will coordinate with the Police Department to ensure the safety of the participants during the walk.

**RESOLUTION 27-11**

**A RESOLUTION AUTHORIZING THE RIVERTON PORCH CLUB TO SPONSOR A WALK IN SUPPORT OF BREAST CANCER AWARENESS ON SUNDAY, JUNE 5, 2011  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

**RESOLUTION 28-11**

**A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE BURLINGTON COUNTY BOARD OF CHOSEN FREEHOLDERS FOR CENTRAL COMMUNICATIONS  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Brown, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

**RESOLUTION 29-11**

**A RESOLUTION AUTHORIZING THE PURCHASE AND PAYMENT OF A NEW SERVER FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$2,463.00 FROM NETWORKS PLUS OF PALMYRA, NEW JERSEY  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

Officer in Charge, John Shaw read the following report for the month of February. Vehicle Mileage 1698, Juvenile Arrests 0, Adult Arrests 13 (Contempt 9, DUI 2, Possession of CDS 1 and obtaining CDS by fraud 1), Motor Vehicle Accidents 5,

Motor Vehicle Stops 42, Motor Vehicle Warnings 15, Motor Vehicle Summonses-Riverton 27, Alarms 16, Assistance to Other Agencies 11, Animal Complaints 3, Fire Calls 0, EMS Calls 19, Unattended Deaths 0, Criminal Cases 15, Incidents 170, Domestic Violence 4, Thefts 6 (Motor Vehicles broken into 5, Fraud 1), Burglaries 0, Assaults 0, Sexual Assaults 0, Criminal Mischief 0, Robberies 0, Miscellaneous calls 120, Total Calls Dispatched 242, Incidents 170 and Quick Calls 72.

Mr. Brown read a report for the month of February that was submitted by Deputy Fire Chief, Robert Yearly. Fire Calls for Month 19, Drills 3, Calls in Town 9 and Calls out of Town 10.

Mr. Brown read a report for the month of January that was submitted by Court Administrator, Jackie Gleason. The total receipts for the month amounted to \$9,031.58. The total amount disbursed to Riverton amounted to \$4,646.76.

**REQUEST FROM ANTONUCCI VENTURES RE: PARKING ISSUE AT FORMER BANK LOT ON HARRISON STREET**

Ms. Cairns Wells reported that the Planning Board had granted Antonucci Ventures site plan approval for the conversion of the former Beneficial Bank Building into a banquet facility. One of the conditions was that Antonucci Ventures discuss the Borough's continued use of the back parking lot. Recent correspondence from the attorney for Antonucci Ventures requests that the Borough needs to supply them with specific dates when Borough sponsored events would take place that would require the use of their lot. Their concern is that the occasional use of this lot by the Borough could interfere with their business operation.

Mr. Gunn reported that in 2005 we had entered into an agreement with Farmers' & Mechanic's Bank, which was then honored by Beneficial Bank, to utilize the back parking lot for public parking. The bank agreed to a two hour time limit, and we then petitioned the New Jersey Department of Transportation for permission, which was granted, to provide enforcement of the parking restriction on private property. We then adopted an ordinance for two hour parking (M-S 7am -5pm) at this location. A short discussion ensued regarding this issue and how best to proceed. It was the consensus that Ms. Cairns Wells be the designated representative to deal directly with Mr. Antonucci to discuss the public use of the parking lot and report back to Council.

**RESOLUTION 30-11**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE BOROUGH OF RIVERTON AND BICYCLE THERAPY, INC. REGARDING THE USE OF BOROUGH STREETS FOR THE USA CYCLING SANCTIONED BICYCLE RACE ON JUNE 12, 2011  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

**RESOLUTION 31-11**

**A RESOLUTION AUTHORIZING THE REDUCTION IN SEWER CHARGES ON THE PROPERTY LOCATED AT 218 LINDEN AVENUE (BLOCK 501 LOT 8) RIVERTON, NEW JERSEY  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Myers. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye

**PARK ISSUE: MUNICIPAL RECREATION GRANTS (SECOND ROUND)**

Mr. Myers reported that notice of the second round of potential Municipal Recreation Grants from the County has been received. The deadline for submitting applications is March 30, 2011. After a short discussion, it was the consensus that an application should be submitted and that the grandstand would be the designated project for consideration. Mr. Myers will take care of preparing (with the assistance of local architect Hand Croft and resident Joe Creighton) the application and getting it submitted in a timely fashion.

**RESOLUTION 32-11**

**A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE BURLINGTON COUNTY BOARD OF FREEHOLDERS TO OBTAIN COUNTY MUNICIPAL PARK DEVELOPMENT PROGRAM FUNDS (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Myers, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

**COMCAST CABLE FRANCHISE RENEWAL UPDATE**

The Clerk reported that the Borough has a franchise agreement with Comcast Cable that will expire at the end of 2014. Council reviewed recent correspondence from Comcast indicating their statutory notice to the Borough of their right to commence a formal review procedure. Mr. Gunn provided an overview of the statutory process for an operator to renew their franchise, which begins three years before the end of the agreement. The Clerk reported that the last time we entered into an agreement with Comcast was in 1999 and that a cable committee had been formulated to assist the Borough in negotiating terms of the agreement that would be advantageous to our community. Mr. Gunn stated that we might want to find out what other towns have done during their renewal process. Mr. Gunn stated that there has to be proof of poor performance or other significant reasons for the Borough to deny a renewal. Mr. Gunn cautioned that he wasn't sure if another competitor in the area might offer lower costs. This is something the Borough would have to look at before a final decision is reached. Council took this issue under advisement.

**2011 BOROUGH DIRECTORY**

The Clerk reported that the Business Association would not be putting the directory together this year. The Clerk asked if Council wanted to have the Borough's portion of the Directory prepared, printed and distributed to all residents. The Clerk reported that she obtained quotes and the lowest one received was \$574.00 for 1400 copies from DeVece & Shaffer. After a short discussion, it was the consensus of Council that this should be done. Ms. Cairns Wells stated that the Chair of the 4<sup>th</sup> of July Committee indicated that their members would be willing to distribute the directory with their information to all residents in town.

**PRELIMINARY AGENDA FOR MARCH 9**

The Clerk reported that next week's meeting would primarily be for the 2011 municipal budget review and that the Auditor would be present. Besides that issue, the Clerk reported that Council would be reviewing the bids scheduled to be received tomorrow for the proposed park upgrades.

**UPDATE RE: POCKET PARK UPGRADES AT BANK & LINDEN AVENUE**

Mr. Myers reported that the Bridge Commission has authorized commencement of this project. Public Works Manager Reed reported that we would be requesting that PSE&G eliminate pole number 249 from the pocket park. The light will now be placed on pole number 60251Rt on Linden Avenue at Bank.

**RIGHT OF WAY ISSUE AT THE END OF FULTON AND SECOND STREET TO THE RIVERBANK**

Mr. Reed stated that it is his understanding that the Borough has a 60' right of way at this location; however, the owner of the property at this location on the riverbank has placed cones and signs that prohibit any vehicles from entering this area from Second Street. Mr. Reed is requesting that a formal clarification on the public vs. private issue be determined. After a short discussion, it was the consensus that the Solicitor should confer with the Tax Assessor on this issue. They should also review the tax maps as well as the deed and report their findings and recommendation back to Borough Council.

There being no further business to discuss, Mr. Brown moved that the meeting be adjourned. This was seconded by Ms. Cairns Wells, with all present voting in the affirmative.



Mary Longbottom, RMC  
Municipal Clerk

March 9, 2011

The regular meeting of the Riverton Borough Council was held on the above date.  
Mayor Martin presiding.

**PRESENT:** Council members Brown, Cairns Wells, Smith, Kinzler (arrived at 7:50pm),  
Myers and Solicitor Bruce M. Gunn

**ABSENT:** Council member Katella

The following statement was read by Mayor Martin:

Public Notice of this meeting, pursuant to the Open Public Meetings Act, has been given  
by the Municipal Clerk in the following manner:

(a) Having written notification of all meetings to be held in 2011 published in the  
Burlington county Times on December 30, 2010

(b) Posting written notice on the official bulletin board on January 3, 2011

**MEETING OPEN TO THE PUBLIC**

**Robert Gwyn** addressed Council regarding the need to update the names on the  
War Memorial. He had previously written a letter to the Burlington County Times  
regarding this issue. He asked when something would be done about this. He also  
volunteered his help to Council. Both Mr. Brown and Mr. Smyth stated that Council was  
very much aware of Mr. Gwyn's concern and that there will be 21 names placed at the  
site on Memorial Day. Mr. Brown stated that the requirements for the placement of a  
name on the War Memorial are available on the Borough's website on the homepage.

The minutes from February 2 and February 23 were then presented. Mr. Brown  
moved that these minutes be approved as submitted. This was seconded by Ms. Cairns  
Wells. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells  
aye, Mr. Smyth aye, Mr. Kinzler absent, Mr. Myers aye.

**REVIEW OF BIDS RECEIVED FOR PARK IMPROVEMENTS.**

Mr. Myers announced that ten bids were received, opened and publicly read on  
March 3 at 10:30am. They were as follows:

	<b>Base Bid</b>	<b>Plus All Alternates</b>
<b>Gower's, Inc.</b>	<b>\$156,320.00</b>	<b>\$183,275.00</b>
<b>Samanns Hydroseeding</b>	<b>\$167,691.00`</b>	<b>\$201,770.20</b>
<b>Joseph A. Cuzzuppe &amp; Co</b>	<b>\$184,300.00</b>	<b>\$220,427.00</b>
<b>Land-Tech Enterprises, Inc.</b>	<b>\$198,480.00</b>	<b>\$230,826.00</b>
<b>Landberg Construction LLC</b>	<b>\$204,300.00</b>	<b>\$245,085.00</b>
<b>DiMeglio Construction, Inc.</b>	<b>\$224,560.00</b>	<b>\$270,769.00</b>
<b>Caruso Excavating Co., Inc.</b>	<b>\$237,732.00</b>	<b>\$306,511.00</b>
<b>Ricky Slade</b>	<b>\$302,921.00</b>	<b>\$362,490.00</b>
<b>LCI (Lewandowski)</b>	<b>\$305,919.00</b>	<b>\$355,639.00</b>
<b>Command Company</b>	<b>\$317,800.00</b>	<b>\$350,540.00</b>

Mr. Myers announced that it was the recommendation of our Engineer (Harry Fox  
of Land Engineering, present) to award the contract (base bids plus all alternates) to  
Gower's Inc. Solicitor Gunn reported that although the Bid received from Gower's Inc.  
has a technical defect in that they did not fill in a specific unit price for excavation and  
grading, they did list a total price for this item. Mr. Gunn was of the opinion that this  
defect is waivable and is recommending that Council award the contract to Gower's Inc.

Mr. Myers reported that the Borough was the recipient of a \$250,000.00  
reimbursable grant from the County for these park improvements. Mr. Myers stated that

since the bid to be considered for award came in well under this amount, he asked our Engineer if we might be able to amend our scope of work to include additional park upgrades. Mr. Fox responded that that would be unlikely but he would go back to the County and ask them. After some additional discussion on this particular issue, it was the consensus of Council to award the contract tonight to the lowest bidder tonight so the Borough could move forward with these upgrades now.

#### **RESOLUTION 33-11**

### **A RESOLUTION TO AWARD A CONTRACT TO GOWER'S INC. FOR RIVERTON MEMORIAL PARK IMPROVEMENTS (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Myers, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Ms. Smyth aye, Mr. Kinzler abstained, and Mr. Myers aye.

### **TREASURER'S, FINANCE REPORT & BILL LIST FOR APPROVAL**

Mr. Smyth read the above reports for the month of February. Ms. Cairns Wells moved that these reports be approved as submitted. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

#### **RESOLUTION 34-11**

### **TRANSFER RESOLUTION (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

### **2011 MUNICIPAL BUDGET REVIEW-AUDITOR ROBERT STEWART PRESENT**

Mr. Kinzler distributed detailed information pertaining to the 2011 municipal budget for Council to review, which is on file with the Municipal Clerk. A lengthy discussion then ensued with Council thoroughly reviewing various line items, making adjustments where necessary. Mr. Stewart reported that the Borough is within the 2% levy cap.

Council also decided that the capital portion of the budget would total \$95,000.00. This includes \$50,000.00 towards road work, \$35,000.00 for the purchase of a Ford Explorer (and equipment) for the Police Department and \$10,000.00 for a sand/salt spreader for the Public Works Department.

#### **ORDINANCE 4-11**

### **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2011 N.J.S.A. 40A:4-45.14**

The above Ordinance was read by title only for the first time by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Myers. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye. Second reading and a public hearing on this Ordinance is scheduled for April 13.

**RESOLUTION 35-11**  
**INTRODUCTION OF 2011 MUNICIPAL BUDGET**  
**(IN FULL IN RESOLUTION & MINUTE BOOK)**

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye. A summary of the 2011 municipal budget will be published in the April 1 edition of the Burlington County Times. A public hearing and final adoption for the 2011 municipal budget will take place on April 13. This budget reflects a 2 cent increase in the local municipal purpose tax. For the owner of a home assessed at the borough average of \$289,850.00, the annual tax bill would rise about \$56.73. The Borough's estimated tax rate is 0.598. It also reflects a 2% salary increase for all Borough employees not covered by a collective bargaining agreement.

Mr. Brown moved that the meeting be adjourned. This was seconded by Ms. Cairns Wells, with all present voting in the affirmative.



Mary Longbottom, RMC  
Municipal Clerk

April 6, 2011

The work session of the Riverton Borough council was held on the above date. Mayor Martin presiding.

**PRESENT:** Council members Katella, Brown, Cairns Wells, Smyth, Kinzler (arrived at 7:40pm), Myers and Solicitor Bruce M. Gunn (arrived at 7:50pm)

The following statement was read by Mayor Martin:

Public notice of this meeting, pursuant to the Open Public Meetings Act, has been given by the Municipal Clerk in the following manner:

(a) Having written notification of all meetings to be held in 2011 published in the Burlington County Times on December 30, 2010

(b) Posting written notice on the official bulletin board on January 3, 2011

**DISCUSSION: DOG PARK PROPOSAL FROM THE RIVERTON IMPROVEMENT ASSOCIATION (RIA)**

**Paul Grena 101 Park Avenue** reported that the RIA had presented a proposal to Council a couple of months ago. Mr. Grena provided an overview of how the original location was chosen. Mr. Grena stated that the RIA had conducted a feasibility survey of residents to determine interest and what would be needed to accomplish this project. Mr. Grena stated that Council had asked the RIA to consider suggested alternate locations. The three areas discussed were as follows: the area in the far northwest corner of the park (original proposed site) past the T-ball fields, but what is technically the beginning of the nature trail along the railroad tracks, site 2 was behind the playground equipment towards the rear of the nature trail and site 3 was where the deck hockey fenced in area is adjacent to or behind the basketball courts. The RIA spent a great deal of time reviewing these locations. Mr. Grena stated that the RIA is still recommending the original proposed site for the placement of the dog park.

Mr. Smyth asked what the square footage would be on this proposed site. Mr. Grena responded that is to be determined. **Heidi Winzinger** stated that the size of the park is important because if it's well used and it's too small then it is very difficult to maintain it. Ms. Cairns Wells stated that the drawing presented tonight pretty much comes to the outskirts of the infield on the T-Ball field. It's hard to visualize what the space will actually look like. She has concern over this. **Jill Capuzzo** stated that this location seems to be a very good space. Mr. Myers commented that he walked the park with the members of the RIA and thinks this location is the only viable spot if we decide on the dog park. A discussion then ensued. Public Works Manager Scott Reed stated that he has temporary fencing that could be placed at the proposed dog park site. Everybody would be able to get an idea of what it would look like before any decision is reached.

Ms. Cairns Wells stressed that access, maintenance and clean up issues still need to be addressed before a decision is reached. Mr. Kinzler concurred with Ms. Cairns Wells. Mr. Grena stated that this would be the Borough's dog park and it is to be policed in a civil fashion by those who use it. Mr. Grena stated that since the dog park would be placed on Borough property, his expectation as a taxpayer is that Borough maintenance people would insure this is done. If it becomes problematic then we would have to address it as a Borough. Discussion resumed.

**Elaine Martin** stated that she does not have a dog. Mrs. Martin asked what the purpose was for a dog park. She doesn't understand the need for this.

**Bill McDermott** commented that dog parks are a community experience and it's also a place for dog owners to get together to socialize.

**Lou Manzi** asked who would be paying for the dog park. Mr. Grena responded that the RIA would. As a taxpayer, Mr. Manzi asked if any of his tax dollars would be used to fund the dog park. Ms. Cairns Wells responded that tax dollars would not be used for the possible creation of the park, but would be used for the maintenance issues. Mr. Manzi is adamantly opposed to using any tax dollars for this project. He also stated that the majority of the taxpayers would be funding something they don't want or would utilize.

**Armand Bianchini** is a dog owner but stressed concern over potential liability issues if something happens. Mr. Grena of the RIA responded that this concern was run by the Borough's insurance carrier and we were told this would not be a problem-there is coverage.

Mr. Smyth stated that during previous discussions on the dog park issue, it was suggested that a proposed group of volunteers be established, made up of dog owners, RIA members and people that would utilize the park to maintain it. Mr. Smyth suggested that this would be a good way to do it so it doesn't cost the taxpayers anything.

**Cara Vandy** stated that there are space issues at our park for a dog park. Ms. Vandy believes a dog park would detract from the uniqueness of Riverton. Ms. Vandy is of the opinion that only a small minority of people would utilize a dog park.

**Jean Bianchini** commented that she doesn't remember being asked if she wanted a dog park. She stated she definitely wouldn't be for it.

Mayor Martin thought we could place the temporary fence in the proposed location to be able to visualize what the dog park would look like or we could just vote it down now.

Mr. Grena suggested finding another appropriate means of sampling or polling all the residents of the Borough on this issue.

**George Montgomery, 706 Elm Terrace**, has given a lot of consideration to this proposal. There are many pros and cons. He believes it would be a plus for the Borough.

Mr. Myers suggested putting the fence up first before a decision is reached. This will have to be done once the park improvements are completed. Ms. Cairns Wells concurred with this. Mr. Grena commented that the RIA would come up with an actual size for the dog park.

Mr. Katella stated that while he doesn't see a groundswell for the dog park, he doesn't see one opposed to it. Maybe after the fencing is put up, we will get more feedback one way or the other regarding the dog park.

At this time Mayor Martin announced that the Bread of Life Food Pantry Foundation would be holding a fund raiser this Saturday night at the Quality Inn in Maple Shade. The Riverton Library will also be holding a fund raiser this Saturday night at the Palmyra Harbor Clubhouse.

#### **DISCUSSION: THE PLACEMENT OF A GROUP HOME AT 815 HOMEWOOD DRIVE.**

**Bill McDermott** distributed a packet of information for Council's review. Mr. McDermott stated that he, along with his neighbors, have concerns about this group home, in particular the aesthetics, and the total lack of communication between the Council, the Building Inspector, the Fire Marshal, the Department of Human

Services/Division of the Developmentally Disabled (DDD) and the residents of Homewood Drive.

Mr. McDermott stated that he understands there are proposed changes in landscaping at this location and the placement of a trellis around the concrete pad and a 5' FDC pipe. Both the size of this pipe and concrete pad and their placement on the front lawn of 815 Homewood are major concerns. Ms. Cairns Wells reported that she met with our Fire Marshal (Robert Yearly) at the property today. The Fire Marshal agreed that we could cut the pipe back to 28-30" maximum. That would take 2 ½ feet off of the pipe. Ms. Cairns Wells reported that she spoke with the Program Administrator from Quality Management (the owner of 815 Homewood Drive) about the landscaping plan. The bushes will have to be lowered because the pipe will be lowered. Mr. McDermott is concerned that there will not be a visual barrier for the next door neighbors and the people across the street. That's problematic. Mr. McDermott asked if anything would be done with the concrete pad with the steel doors on it. Ms. Cairns Wells responded that it would be painted. Mr. McDermott asked if the house would be painted. Ms. Cairns Wells responded yes. She met with reps from DDD, who informed her that they didn't know when the painting will be done but the landscaping will be done by next Friday.

Mr. McDermott stated that the website for DDD referenced that their ability to do landscaping and trash maintenance is not good. Mr. McDermott stated that this is another concern the residents have that needs to be addressed. Ms. Cairns Wells stated that there has only been one complaint call to the Code Enforcement Officer in March about the trash issue.

Mr. McDermott raised concern that Homewood Drive has been opened up three times and has not been properly re-paved. Ms. Cairns Wells noted that our Engineer is aware of this and has taken steps to remedy this situation with the Water Company. Mr. McDermott also raised concern over the amount of parking at this location. Ms. Cairns Wells responded that this too will be addressed. Mr. McDermott stressed the lack of communication between Quality Management and the residents of Homewood Drive.

**Mike Celhar** of Homewood Drive raised concern as to who will be living at this home. Ms. Cairns Wells responded that middle aged, elderly, mentally and/or physically challenged adults would be living there. It is not a halfway house. Mr. Celhar believes that whole corner has been decimated, first by the new house that was constructed on 8<sup>th</sup> street and now this group home.

**Jean Bianchini** stated that as our elected officials, Council should be protecting us. She is concerned about the property values at this location.

**Armand Bianchini** stressed concern about the 5' pipe being permitted to be erected in the front yard and the fact that the street has been torn up on numerous occasions and not properly restored. Mr. Bianchini believes that people were not made aware of anything.

**Lou Manzi** wants to make sure nothing like this happens again. He believes someone made a bad call about the pipe size and its placement on the front lawn. Ms. Cairns Wells stated that she would set up a meeting between Quality Management and the residents of Homewood Drive to review all concerns.

**Paul Grena** stated that he has a big problem with the pipe and concrete pad being placed on the front lawn. He asked if this could be moved or is it a done deal. He also inquired if a permit was issued for this. Ms. Cairns Wells responded yes, that permits

were issued and both the Fire Marshal and Construction Official (Ed Schaefer) approved the placement of the pipe and concrete pad.

**Don Martin** of Homewood Drive asked who paid for all the construction work at 815 Homewood Drive. Ms. Cairns Wells responded that Quality Management, the owners did. They were able to obtain some funding from the County, but no funding came from Riverton.

**Jill Capuzzo** of Homewood Drive stressed the fact that parking is an issue at this location and needs to be addressed.

**Bill McDermott** commented that there had been a white handicapped van parked at 815 Homewood for 6 months initially with a Massachusetts tag. He doesn't know why this was not checked out. Mr. McDermott commented that there is a New Jersey plate on the van now. Ms. Cairns Wells responded that once she was alerted to this situation, she asked the Police Chief to check it out and by that time the van was registered and insured in New Jersey.

**Joanne Gerrity**, who lives next door to the group home, reported that when it rains, the water runs down the driveway at 815 Homewood and just sits there. Ms. Cairns Wells will take this issue up with Quality Management.

**Armand Bianchini** believes this type of problem should be prevented in the future.

**Bill McDermott**, stated that it's not about objecting to the home, it's the fact that no notice was given about it. Ms. Cairns Wells stated that the owners of this home were not required to go before our Zoning or Planning Boards. State law guidelines permit these types of homes. Mr. Katella believes that if the Borough had made a big deal about the group home coming into town and it wasn't a change of use, it would have put the Borough at risk.

#### **ORDINANCE 2011-1**

#### **AN ORDINANCE AMENDING CHAPTER 26-5 OF THE CODE OF THE BOROUGH OF RIVERTON (IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Mr. Brown, who moved for its adoption. This was seconded by Ms. Cairns Wells. At this time, Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. There being no comment, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

#### **ORDINANCE 2011-2**

#### **AN ORDINANCE IN THE BOROUGH OF RIVERTON AMENDING THE OFFICIAL ZONING MAP TO REFLECT A ZONING LINE ADJUSTMENT ON BLOCK 305, LOT 1 IN THE BOROUGH OF RIVERTON (IN FULL IN ORDINANCE BOOK)**

The Clerk reported that the Planning Board has submitted the required Resolution that endorses this amendment. The Clerk also reported that the required notice of this proposed Ordinance was sent by certified and regular mail to all property owners within 200' of this property (101 Lippincott Avenue).

This Ordinance was read by title only for the second time by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. At this time, Mayor

Martin opened this portion of the meeting to the public for any comment on this Ordinance. There being no comment, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

### **ORDINANCE 2011-3**

#### **AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY AMENDING CHAPTER 123, ARTICLE II AND ARTICLE III, SCHEDULE IV TO PROVIDE TIME LIMITS FOR PARKING ON THE SOUTHEAST SIDE OF HOWARD STREET**

#### **(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. At this time Mayor Martin opened this portion of the meeting up to the public for any comment on this Ordinance. **Joe Rainer** asked for a clarification as to where the 15 minute parking would be on Howard Street. Ms. Cairns Wells responded that they would be placed just in front of the architect's building to the beginning of Café Rose's business. There will be four parking spots, which will be striped, so the parking is clearly noted. Signs will be posted. There being no further comment on this Ordinance, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken on this Ordinance. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

Mr. Rainer asked if he could speak on issues regarding his property located at 515 Main Street. Council concurred and Mr. Rainer distributed a detailed packet of information including pictures for Council's review. A copy of this is on file with the Municipal Clerk. Mr. Rainer reviewed the timetable of problems (since September 17, 2006) pertaining to the ongoing parking and illegal parking issues on this portion of Howard Street vandalism issues and harassment issues. Mr. Rainer expressed concern over the lack of enforcement regarding these issues. He believes the illegal parking issues were the reason why his tenants moved out. After a discussion, Council asked Chief Shaw to review the issues raised by Mr. Rainer and to determine how best to remedy them.

**Gene Bandine** agreed with the Ordinance that will designate 15 minute parking limits at designated locations on Howard Street. Mr. Bandine suggested making Howard Street one way all the way down, and limiting the speed limit to 15 miles per hour because it is a school district area. Why don't we have a painted cross walk from the municipal lot across the edge of Mr. Rainer's property? This issue was taken under advisement.

### **ORDINANCE 2011-5**

#### **AN ORDINANCE AMENDING THE DEFINITION OF A HEIGHT OF A BUILDING IN ARTICLE IV, SECTION 128-12 OF THE RIVERTON ZONING CODE**

The above Ordinance was read by title only for the first time by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye and Mr. Myers aye. Second reading and a public hearing on this Ordinance is scheduled for

May 11.

**ORDINANCE 2011-6**  
**AN ORDINANCE AMENDING ARTICLE I, CHAPTER 114-8, SWIMMING**  
**POOL SETBACK REQUIREMENTS**

The above Ordinance was read by title only for the first time by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye. Second reading and a public hearing on this Ordinance is scheduled for May 11<sup>th</sup>.

**DISCUSSION: DRAFT ORDINANCE TO REGULATE LOUD, UNNECESSARY**  
**OR UNUSUAL NOISE FROM LANDSCAPING AND YARD/LAWN**  
**MAINTENANCE EQUIPMENT DURING THE EARLY MORNING AND LATE**  
**EVENING HOURS**

Ms. Cairns Wells explained that some residents have asked that Council consider adopting this type of Ordinance. After a review and discussion, it was the consensus of Council to table any decision on this Ordinance for now. Some concerns were raised regarding interpretation and enforcement of this Ordinance and the fact that this proposed Ordinance more than likely conflicts with the Borough's snow removal requirements.

**DISCUSSION: 2011 BUDGET-Mr. Kinzler**

Mr. Kinzler stated that when we introduced our budget on March 9, we were looking at a 3.08% increase, which was well under the 2% CAP. However, the budget included a 2 cent tax increase. Mr. Kinzler stated that the Mayor has asked to review the budget to see if we can keep the tax levy flat.

Mr. Kinzler reported that Council had decided to bring the construction operation (salaries and other expenses) back into the Borough's budget, so that it is no longer a stand alone entity. Mr. Kinzler stated that this wasn't reflected in our budget and it now needs to be done. Mr. Kinzler stated that the usage of surplus is another tool we could utilize to possibly offset a tax increase. Reviewing our expense line items is another way we could achieve this outcome, although Mr. Kinzler stated it would be very hard to find reductions on the expense side. That's how tight these line items are now. Mayor Martin would like to take more money out of surplus to get us to a no tax increase. Ms. Cairns Wells stated that she is not comfortable with taking more money from surplus. She feels this will hurt us for next year's budget. A discussion ensued. Council reviewed some line items, making reductions to both the Planning Board and Municipal Court budgets. They discussed the need to make more of an effort to collect all taxes and sewer charges from all property owners. When people do pay their taxes, it hurts the Borough when we have to formulate the next year's budget (reserve for uncollected taxes). It was noted that there has been an increase in bankruptcies in town and that is tax money we will not be able to collect. Discussion resumed with the outcome being that the majority of Council agreeing to take more money out of surplus to keep the taxes flat. Mr. Kinzler will confer with our Auditor on this. Our budget will need to be amended next week. The Auditor will be present to guide Council through this process

**LONGEVITY PAYMENT ISSUE**

Mr. Kinzler stated that the Borough provides longevity payments to Full-time Borough employees. Mr. Kinzler reviewed the schedule of payments which, is spread out over a number of years, with Council. Mr. Kinzler stated that these payments are in addition to any annual salary increases. Mr. Kinzler asked Council to consider rescinding this. Ms. Cairns Wells concurred with Mr. Kinzler and also stated that most companies gave longevity up many years ago. Mr. Kinzler reminded Council that, contractually, we are still bound to give it to the police. **Scott Reed** stated that the police get a salary increase, a step increase and longevity. Mr. Reed expressed his displeasure with Council for wanting to eliminate longevity for the rest of the full-time employees. Mr. Kinzler and Ms. Cairns Wells responded that Mr. Reed should be mindful that during these difficult economic times, no positions have been eliminated and that pay raises have been given to our employees. Mr. Reed stated that he feels that the police get everything and wants to know when this will change. He is fighting for his department. Mr. Kinzler stated that the way the police are compensated is unfair. Attempts have been made to fix that to no avail.

#### **ORDINANCE 2011-7**

#### **AN ORDINANCE AMENDING CHAPTER 24, ARTICLE III, SECTION 24-5 OF THE CODE OF THE BOROUGH OF RIVERTON TO RESCIND SECTION 8.5A OF THE EMPLOYEE HANDBOOK RELATIVE TO LONGEVITY PAYMENTS TO EMPLOYEES OTHER THAN POLICE**

The above Ordinance was read by title only for the first time by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye. Second reading and a public hearing on this Ordinance is scheduled for May 11<sup>th</sup>.

#### **DISCUSSION: REVERSE 911 SYSTEM**

Ms. Cairns Wells stated that there is a reverse 911 system that's available free from the Central Dispatcher at the County. It's used to alert residents about emergency situations. Cinnaminson has it and uses it for snow storms, etc. Ms. Cairns Wells asked if Council wants her to find out how Riverton can become more involved. Ms. Cairns Wells reiterated that there would be no cost to doing this. It was the consensus of Council that Ms. Cairns Wells should obtain more information for them to review.

#### **RESOLUTION 36-11**

#### **A RESOLUTION AUTHORIZING THE PARTICIPATION IN THE STATE'S FIREFIGHTER CERTIFICATION PROGRAM (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Brown, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

#### **RESOLUTION 37-11**

#### **A RESOLUTION AUTHORIZING THE BOROUGH OF RIVERTON TO EXECUTE AN AGREEMENT WITH BURLINGTON COUNTY FOR COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT ACT OF 1974 (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**BOROUGH COUNCIL COMMITTEE CHANGE FOR THE REMAINDER OF 2011**

Mayor Martin announced that Mr. Kinzler would no longer be on the Public Safety Committee. Mr. Myers would be taking his place. Council concurred with this change.

**PROCLAMATION-ARBOR DAY  
(IN FULL IN RESOLUTION BOOK)**

Mr. Myers read this proclamation and announced that the Arbor Day celebration would be held on April 27 at the Riverton Public School

**PRELIMINARY AGENDA FOR APRIL 13**

The Clerk reviewed this with the Governing Body.

**RESOLUTION 37-11**

**A RESOLUTION PERMITTING THE EXCLUSION OF THE PUBLIC FROM A MEETING IN CERTAIN CIRCUMSTANCES PER SECTION 8 OF THE OPEN PUBLIC MEETINGS ACT C.231 P.L. 1975  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Brown, who moved for its adoption. This was seconded by Ms. Cairns Wells, with all present voting in the affirmative. It should be noted that a personnel issue (police chief position) will be discussed.

At this time, Mr. Brown moved that we return to public session. This was seconded by Ms. Cairns Wells, with all present voting in the affirmative.

**RESOLUTION 39-11**

**A RESOLUTION TO RECOMMEND JOHN SHAW FOR THE POSITION OF CHIEF OF POLICE SUBJECT TO THE NEGOTIATION OF AN EMPLOYMENT AGREEMENT WITH THE PUBLIC SAFETY COMMITTEE  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Brown, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

There being no further business to discuss, Mr. Brown moved that the meeting be adjourned. This was seconded by Ms. Cairns Wells, with all present voting in the affirmative.



Mary Longbottom, RMC  
Municipal Clerk



April 13, 2011

The regular meeting of the Riverton Borough Council was held on the above date. Mayor Martin presiding.

**PRESENT:** Council members Katella, Brown, Cairns Wells, Smyth, Kinzler (arrived at 7:55pm), Myers and Solicitor Bruce M. Gunn

The following statement was read by Mayor Martin:

Public notice of this meeting, pursuant to the Open Public Meetings Act, has been given by the Municipal Clerk in the following manner:

(a) Having written notification of all meetings to be held in 2011 published in the Burlington County Times on December 30, 2010

(b) Posting written notice on the official bulletin board on January 3, 2011

#### **RESOLUTION 40-11**

#### **A RESOLUTION APPOINTING JOHN B. SHAW AS THE CHIEF OF POLICE OF THE BOROUGH OF RIVERTON (IN FULL IN RESOLUTION BOOK)**

The above resolution was read by title only by Mr. Brown, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

At this time, Solicitor Gunn administered the Oath of Office to John B. Shaw as Chief of Police for the Borough of Riverton.

The minutes from March 2<sup>nd</sup> and March 9<sup>th</sup> were then presented. Mr. Brown moved that these minutes be approved as submitted. This was seconded by Mr. Smyth. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

#### **TREASURER'S, FINANCE REPORT & BILL LIST FOR APPROVAL**

In Mr. Kinzler's absence, Mr. Smyth moved that the attached reports for the month of March be approved as submitted. This was seconded by Ms. Cairns Wells. The Clerk reported that late this afternoon, she was given notification from Land Engineering that the Borough received Conditional Certification for the Riverton park project from the Burlington County Soil Conservation District. The Fee for the permit is \$450.00, which is not on tonight's bill list for approval. Ms. Cairns Wells asked if there would an issue if we do not add this amount to the bill list. Mr. Myers responded that he didn't think so and that it shouldn't hold anything up. Ms. Cairns Wells commented that if there is no known negative impact that we are aware of, this permit fee can be placed on next month's bill list for approval. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

#### **MEETING OPEN TO THE PUBLIC**

**William McDermott** asked where we were regarding 815 Homewood Drive. He thought that at last week's meeting it was decided that a meeting would be set up between the residents of this street and Quality Management. Ms. Cairns Wells responded that that will happen, but we have not been able to pin down a date yet. Mr. McDermott reported that a fence is being erected on the front lawn of this property. Ms. Cairns Wells responded that that was not a fence; it was an arbor-trellis. Mr. McDermott stated that in his opinion it was not an arbor and submitted pictures for Council's review.

**Beth Mueller** stated that back in 2003 she submitted a drawing similar to that, which was over fence height (being 5'). There were to have been three panels not attached along the back side of her property. She was shot down because of the height and it was considered a fence and therefore was not permitted. Ms. Mueller stated that the structure placed at the 815 Homewood Drive location is in the front yard and she believes the Borough's codes prohibit that. Ms. Cairns Wells spoke to the installer today and she was informed that our Construction Official had reviewed this and approved it. Ms. Cairns Wells was unable to speak to the Construction Official today about this issue.

**William McDermott**, asked how we got the concrete pipe and pad installed in the front yard of the property at 815 Homewood. Mr. McDermott stated that he met with representatives from Quality Management today and was told that this installation was insisted upon by Riverton Borough. Ms. Cairns Wells stated that this was established last week and there is no contention about this. Mr. Brown commented that it was approved by the Fire Marshal. Mr. McDermott stated that it is his understanding that the pipe will be brought down 28". Mr. Brown responded that was correct.

**Jill Capuzzo** expressed concern that we would now have this lowered pipe but would also have these big ugly screens that if anything, sort of point to the pipe.

**Beth Mueller** stated that the main issue is the height of it.

**William McDermott** reported that it is being described by a rep from Quality Management as a pergola like structure. Mr. McDermott reported that this rep agreed today that she and he would put a meeting together with the residents about these issues (pipe, concrete pad in front yard, etc.) Ms. Cairns Wells clarified that the pipe doesn't have anything to do with the size of the facility. The pipe has to do with the size of the fire hoses the fire department uses.

**Beth Mueller** stated that she doesn't want similar issues to come up every time someone builds something in town. There has to be a chain of command.

Ms. Mueller commented that she thought the Code Enforcement Officer should be doing more policing of the town. Ms. Mueller does not think it is her responsibility to call in problems. Mr. Katella responded that our Code Enforcement Officer is part-time and does a very good job. That being said, it is important that the public need to step up to the plate to let the proper official know when they are not happy about something.

**William McDermott** asked if Riverton is using 815 Homewood Drive for their affordable housing obligation. Ms. Cairns Wells responded no.

Mayor Martin agreed that the pipe is a terrible eyesore, and he doesn't like the fence, (trellis/arbor) placed at 815 Homewood Drive. We should do whatever we can do to make it look better.

**William McDermott** asked when the street would be restored when it was opened by New Jersey American Water. Ms. Cairns Wells responded that our Engineer has contacted the Water Company and informed them to make the proper repairs right away.

**Beth Mueller** stated that she has an open drain sewer issue that causes flooding during storms. Public Works Manager Reed responded that the French drain really wasn't dug deep enough in the beginning. His department cleans it out but it doesn't do anything because it is too shallow. It really should be dug out around 5 or 6 feet put new pipe and place stone around. This would be a public works issue. He will look into this issue.

**William McDermott** would like to see the issues raised about 815 Homewood Drive resolved close to Memorial Day. Mr. McDermott understands that this group home would

be non-profit. Mr. McDermott also understands that Quality Management is a profit making organization and that they are paying taxes on this property. Ms. Cairns Wells responded yes. He understands that the number of disabled people that will live there is four. Ms. Cairns Wells responded that she thought that was correct, but she didn't know if that included the manager. On behalf of another neighbor who was unable to make this meeting, Mr. McDermott asked if additional recycling buckets could be supplied to the home. The response was yes.

Mr. McDermott asked if there was any date set for the pipe to be cut down. Ms. Cairns Wells responded it should be by next week. Mr. Smyth asked if we could take the pipe out and place it on the side of the property. Ms. Cairns Wells stated that the Borough would have to pay for that. Mrs. Mueller thought it would be a good idea to find out how much that would be. Ms. Cairns Wells stated that Council would look into this. Ms. Cairns Wells reported that she has already spoken to the Fire Marshal and Construction Official and made it clear that if this situation comes out again, this type of pipe installation will never happen again.

**FINANCIAL ITEMS: Mr. Kinzler (Auditor present)**

Mr. Kinzler reported that as a result of Council decision at last week's meeting to keep the taxes flat, we would be amending our budget tonight. This amendment reflects the usage of an additional \$55,000 more from surplus, anticipating \$25,000 in Construction Code fees and budgeting \$26,000 for the Construction Office. Auditor Robert Stewart reported that the State has approved this amendment.

**PUBLIC HEARING ON THE 2011 MUNICIPAL BUDGET**

There was no public comment on the budget.

**RESOLUTION 41-11**

**A RESOLUTION TO AMEND THE 2011 BUDGET  
(IN FULL IN RESOLUTION AND MINUTE BOOK)**

The above Resolution was read by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**PUBLIC HEARING ON AMENDMENT TO 2011 MUNICIPAL BUDGET**

There was no public comment on this amendment.

**RESOLUTION 42-11**

**A RESOLUTION ADOPTING THE 2011 MUNICIPAL BUDGET  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**2010 AUDIT REPORT**

Mr. Stewart reported that copies of this report were being distributed for Councils' review. Mr. Stewart was pleased to report that there were no recommendations or findings for the year 2010.

**ORDINANCE 4-11**

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION  
LIMITS AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2011**

**N.J.S.A. 40A: 4-45.13**

**(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Mr. Kinzler who moved for its adoption. This was seconded by Ms. Cairns Wells. At this time, Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. There being no comment, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye

**ORDINANCE 8-11**

**A BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF RIVERTON, THE COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$95,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$90,250 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

The above Ordinance was read by title only for the first time by Mr. Kinzler, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye. Second reading and a public hearing on this Ordinance is scheduled for May 11.

**ORDINANCE 9-11**

**AN ORDINANCE OF THE BOROUGH OF RIVERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY TO PROVIDE FOR AND DETERMINE RATES OF COMPENSATION OF EACH OFFICER AND EMPLOYEE OF THE BOROUGH OF RIVERTON**

The above Ordinance was read by title only for the first time by Mr. Kinzler, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye. Second reading and a public hearing on the Ordinance is scheduled for May 11.

**COMMITTEE REPORTS**

**ZONING/ BD OF HEALTH/ ENVIRONMENTAL**-Mr. Katella-No Report  
**PUBLIC SAFETY/CODE ENFORCEMENT/COURT**-Mr. Brown

Chief Shaw read a report for the month of March. Vehicle Mileage 1895, Juvenile Arrests 0, Adult Arrests 10 (Contempt 7, Shoplifting 1, Terroristic Threats/Harassment 1 and Simple Assault 1), Motor Vehicle Accidents 3, Motor Vehicle Stops 60, Motor Vehicle Warnings 26, Motor Vehicle Summonses-Riverton-34, Alarms 16, Assistance to Other Agencies 30, Animal Complaints 2, Fire Calls 7, EMS Calls 14, Unattended Deaths 0, Criminal Cases 20, Incidents 198, Domestic 3, Thefts 6 (Shoplifting 1, Fraud 1, Misc. 4), Burglaries 0, Assaults 1, Sexual Assaults 0, Criminal Mischief 1, Robberies 0, Miscellaneous Calls 127, Total Calls Dispatched 285, Incidents 198 and Quick Calls 87.

Mr. Brown read a report for the month of March that was submitted by Deputy Fire Chief, Robert Yearly. Fire Calls For Month 18, Drills 3, Calls In Town 7 and Calls Out Of Town 11.

Mr. Brown read a report for the month of March that was submitted by Court Administrator Jackie Gleason. Total receipts for the month amounted to \$6,003.00. The total amount disbursed to Riverton amounted to \$2,582.88.

**PLANNING/REDEVELOPMENT/SCHOOL**-Ms. Cairns Wells

Ms. Cairns Wells reported that the County Prosecutor's office annually gives out a heroism award. Chief Shaw nominated the three Beneficial Bank tellers in light of what they did regarding a prior bank robbery. When the Public Safety Committee found out about it, they nominated Chief Shaw, for investigating and capturing the perpetrator. Chief Shaw will also be getting an award at the banquet to be held on May 19<sup>th</sup>.

Ms. Cairns Wells reported that there was a grant announcement yesterday for potential funding to improve school security. The main issue is there is a 50% cash match to this. Ms. Cairns Wells passed this information onto Superintendent Eck.

Ms. Cairns Wells reported that the town of Sparta that installed solar panels at their sewer treatment plant. They expect to be able to recoup the cost of the bonding for this in 4 or 5 years. They were also able to sell back their excess energy costs to the energy company so, in addition to the savings; it becomes a small revenue source also. We might want to consider something like this if we keep our treatment plant. Mr. Gunn commented that a 201 Study was done a number of years ago of the Triboro towns. We had studied the possible hook-up with Cinnaminson Township. He suggested that Council review this study.

**STREETS/SEWER/ECONOMIC DEVELOPMENT/SHARED SERVICES**-Mr. Smyth

Mr. Smyth announced that everyone on Council has received an invitation from the Porch Club for their "Paint the Porch Pink Event" to be held on June 5<sup>th</sup>.

**LONGEVITY PAYMENT ISSUE**

Mr. Kinzler reported that at last week's meeting, Council introduced an ordinance amending the Employee Handbook to eliminate longevity payments to full-time Borough employees not covered by a bargaining unit. Mr. Kinzler asked the Solicitor to inform Council of his statutory findings regarding this issue.

Mr. Gunn reported that the current statute, which has been in effect since 1981 states that you can reduce any employees salary by ordinance; however the ordinance cannot reduce the salary of or deny without good cause an increase in salary given to certain employees: Tax Collector, Tax Assessor, Chief Financial Officer and Municipal Clerk. Mr. Gunn reviewed a court case regarding this issue with Council, where this issue has been upheld. Mr. Gunn stated that when Council rescinded the longevity payments, it can be done for everyone except those four positions. Mr. Gunn stated that we need to reference the valid statute in the Ordinance introduced last week. Mr. Gunn stated that this would not be a substantive change and would not require re-publishing.

**SHADE TREE/PARK& RECREATION**-Mr. Myers

Mr. Myers reported that the field improvements are underway. Mr. Myers reported that we submitted an application for potential grant money from the County for Phase II of the park upgrades (grandstand). We should know by the end of April if funding is received. Mr. Myers reported that work continues on the upgrades at the pocket park at Bank & Linden Avenues.

Mr. Myers reported that 60 new Borough trees have been planted throughout town.

**CORRESPONDENCE-None**

There being no further business to discuss, Ms. Cairns Wells moved that the meeting be adjourned. This was seconded by Mr. Brown, with all present voting in the affirmative.

A handwritten signature in blue ink, appearing to read "Mary Longbottom".

Mary Longbottom, RMC  
Municipal Clerk

May 11, 2011

The regular meeting of the Riverton Borough Council was held on the above date. Mayor Martin presiding.

**PRESENT:** Council members Cairns Wells, Smyth, Myers and Solicitor Bruce M. Gunn

**ABSENT:** Council members Katella, Brown and Kinzler

The following statement was read by Mayor Martin:

Public notice of this meeting, pursuant to the Open Public Meetings Act, has been given by the Municipal Clerk in the following manner:

(a) Having written notification of all meetings to be held in 2011 published in the Burlington County Times on December 30, 2010

(b) Post written notice on the official bulletin board on January 3, 2011

**PROCLAMATION**

**A PROCLAMATION HONORING AND RECOGNIZING BOROUGH HISTORIAN BETTY B. HAHLE  
(IN FULL IN RESOLUTION BOOK)**

Mayor Martin announced the passing of Borough Historian, Betty B. Hahle on April 17, 2011. Mayor Martin then read the above Proclamation in full.

The open session minutes from April 6 and April 13 and the closed session minutes from April 6 were then presented. Regarding the April 6<sup>th</sup> open session minutes, Ms. Cairns Wells asked that on page 4, her response to the concern raised about a van parked at 815 Homewood Drive be included. The following verbiage will be included: "Ms. Cairns Wells responded that once she was alerted to this situation, she asked the Police Chief to check it out and by that time the van was registered and insured in New Jersey." Ms. Cairns Wells then moved that the minutes for the month of April be approved as amended. This was seconded by Mr. Smyth. A poll vote was then taken. Mr. Katella absent, Mr. Brown absent, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

**TREASURER'S, FINANCE REPORT & BILL LIST FOR APPROVAL**

In Mr. Kinzler's absence, Mr. Smyth moved that the attached reports for the month of April be approved as submitted. This was seconded by Mr. Myers. A poll vote was then taken. Mr. Katella absent, Mr. Brown absent, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

**2<sup>ND</sup> READING AND PUBLIC HEARINGS ON THE FOLLOWING ORDINANCES:**

**ORDINANCE 2011-5**

**AN ORDINANCE AMENDING THE DEFINITION OF A HEIGHT OF A BUILDING IN ARTICLE IV, SECTION 128-12 OF THE RIVERTON ZONING CODE**

**(IN FULL IN ORDINANCE BOOK)**

The Above Ordinance was read for the second time by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Smyth. Ms. Cairns Wells explained that this clarifies the 35' height definition without all the extra jargon that was in the original one, which had made it ambiguous. Ms. Cairns Wells further explained that the prior definition took into consideration uninhabitable space at the top of a building. At this time Mayor Martin opened this portion of the meeting to the public for

any comment on this Ordinance. **William McDermott** asked if this would include cupulas. Ms. Cairns Wells responded no. It also does not include church steeples. It was also noted that Council received a Resolution of support for this Ordinance from the Planning Board. A poll vote was then taken. Mr. Katella absent, Mr. Brown absent, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

**ORDINANCE 2011-6**

**AN ORDINANCE AMENDING ARTICLE I, CHAPTER 114-8, SWIMMING  
POOL SETBACK REQUIREMENTS  
(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read for the second time by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Smyth. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. There being no public comment, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Mr. Katella absent, Mr. Brown absent, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

**ORDINANCE 2011-7**

**AN ORDINANCE AMENDING CHAPTER 24, ARTICLE III, SECTION 24-5 OF  
THE CODE OF THE BOROUGH OF RIVERTON TO RESCIND SECTION 8.5a  
OF THE EMPLOYEE HANDBOOK RELATIVE TO LONGEVITY PAYMENTS  
TO EMPLOYEES OTHER THAN POLICE  
(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read for the second time by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Myers. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. There being no public comment, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Mr. Katella absent, Mr. Brown absent, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent, and Mr. Myers aye.

**ORDINANCE 2011-8**

**A BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL  
IMPROVEMENTS OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF  
BURLINGTON, NEW JERSEY APPROPRIATING THE AGGREGATE  
AMOUNT OF \$95,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF  
\$90,250 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE  
COST THEREOF**

Both the Clerk and the Solicitor reported that even though we had a quorum to open the meeting and conduct normal business, there are not the requisite number of Council members present to finally adopt this Bond Ordinance. All that can be done tonight is to hold the Public Hearing. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. There being no public comment, Mayor Martin closed this portion of the meeting to the public. Both the Clerk and the Solicitor reported that Council will consider final adoption of this Bond Ordinance at their June 8<sup>th</sup> meeting.

**ORDINANCE 2011-9**

**AN ORDINANCE OF THE BOROUGH OF RIVERTON, COUNTY OF  
BURLINGTON AND STATE OF NEW JERSEY TO PROVIDE FOR AND**

**DETERMINE RATES OF COMPENSATION OF EACH OFFICER AND  
EMPLOYEE OF THE BOROUGH OF RIVERTON  
(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read for the second time by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Smyth. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. There being no comment, Mayor Martin closed this portion of the meeting to the public. The Solicitor commented that verbiage will be entered under Section VI of this Ordinance to note that this section has been rescinded by Ordinance 7-11 effective May 11, 2011. A poll vote was then taken. Mr. Katella absent, Mr. Brown absent, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

**RESOLUTION 43-11**

**A RESOLUTION PERTAINING TO THE 2010 AUDIT REPORT  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Smyth, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella absent, Mr. Brown absent, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

**RESOLUTION 44-11**

**A RECYCLING TONNAGE GRANT APPLICATION  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Smyth, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella absent, Mr. Brown absent, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

**RESOLUTION 45-11**

**A RESOLUTION AUTHORIZING THE HIRING OF PARK PERSONNEL FOR  
THE 2011 SUMMER PROGRAMS, AND SETTING FEES FOR THE PARK  
PROGRAM AND ARTS AND CRAFTS PROGRAM  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Myers, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella absent, Mr. Brown absent, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

**MEETING OPEN TO THE PUBLIC**

**Armand Bianchini** acknowledged Council, in particular Ms. Cairns Wells, for following up with the neighborhood on the 815 Homewood Drive concerns. Mr. Bianchini commented that the landscaping work is being done and that the trellises are gone. Mr. Bianchini raised concern that Quality Management (QMA) may want to put a second story on this property. He lives in a residential area and he doesn't want to see that building get any bigger. Ms. Cairns Wells responded that it is her understanding that QMA only buys one story dwellings. She didn't think it would make much sense for them to expand up. If they wanted to do that, they would have to meet with the Construction Official and Zoning/Code Enforcement Official and have their plans reviewed to determine if they needed variances. If so, they would have to apply to either

the Planning Board or Zoning Board. Mr. Myers commented that he looked at the size of the pipe and understands how the neighbors feel.

Mr. Bianchini stated that it looks like they will be building an apparatus to hide the garbage cans. Mr. Bianchini also stated that rubber gloves were found on the property. Ms. Cairns Wells stated that this was reported to the Police Chief. Mr. Bianchini asked if Ms. Cairns Wells was getting a good response from the QMA team. Ms. Cairns Wells responded yes, and that she still wants to set up a meeting with representatives from QMA and the residents of Homewood Drive.

**William McDermott** reported that QMA does not return any calls. Mr. McDermott stated that it is required that the residents of this group home be registered with the Police and Fire Departments. He is concerned about the oversight on this issue. Mr. McDermott reviewed with Council the required regulations regarding this home, such as quarterly fire drills and evacuation procedures, which have not been done. Ms. Cairns Wells responded that these are the kinds of things that require a meeting with an agenda. She asked Mr. McDermott to e-mail her a list of topics to be discussed at this meeting. Mr. Myers commented that we are lucky to have Ms. Cairns Wells working diligently to solve these issues-let's move forward.

Mr. McDermott asked if we have a date when the pipe will be moved. Ms. Cairns Wells reported that the sprinkler company has informed her that it will cost \$1,400 to move the pipe. Ms. Cairns Wells gave that figure to QMA and they informed her that they don't have that money in their budget. They only have \$400 and have requested that the Borough pay the rest. Ms. Cairns Wells had discussed this issue with the Borough's Solicitor. Mr. Gunn reported that it is basically illegal for the Borough to use public money to improve a private property. It's a violation of the State's constitution. Mr. McDermott asked if it was illegal when the mistake was made for the placement of the pipe in the front of the property. Ms. Cairns Wells responded that we did not make a mistake. Ms. Cairns Wells reviewed the code with those present. Ms. Cairns Wells stated that our Fire official followed the letter of the law. He made no error in judgment. However, Ms. Cairns Wells acknowledged that the Fire Official could have looked at the situation and came to the conclusion that that was not the best place aesthetically. Mr. McDermott asked if we could use COAH money to move the pipe. Ms. Cairns Wells responded no. Mr. McDermott then asked if the pipe would be lowered to between 28 and 30" with a 90 degree connection. Ms. Cairns Wells responded yes. Ms. Cairns Wells stated that now that she has found out that QMA is not going to pay to move it and we cannot contribute to it, she will move forward with getting the pipe cut down as quickly as possible. Mr. McDermott voiced his displeasure that the pipe, concrete pad and steel door will not be relocated to the side of the property.

Mayor Martin asked who would be the enforcing agent regarding group homes? Ms. Cairns Wells responded that it would be the Division of Developmental Disabilities. Mr. Gunn concurred with this.

Mr. McDermott asked Council to consider that the minutes be put into a PDF program so that Council, Planning Board and Zoning Board minutes would be continuously running. He thinks this would be easier for the public to access this way. Ms. Cairns Wells stated that we would discuss this with our webmaster.

Mr. McDermott believes that QMA continuously makes mistakes and there is no oversight on them. Ms. Cairns Wells reiterated the need for an agenda list for the proposed meeting between QMA and the residents of Homewood Drive.

**Gary DosSantos** expressed concern over the commercial lawn services operating in town, in particular the noise levels of their equipment and their hours of operation. Mr. Dos Santos inquired as to whether we had any regulations regarding this. Ms. Cairns Wells responded that we have been discussing both the commercial as well as the residential aspects of this issue. We reviewed a draft ordinance last month but tabled it because we felt there was some ambiguity in it. We don't have a noise ordinance because that requires that we have a noise officer which would also require decibel measuring equipment. That's why this proposed ordinance was just for the use of the equipment and not the noise levels. Mr. DosSantos believes this is a quality of life issue for people living in Riverton. Ms. Cairns Wells thanked Mr. DosSantos for his comments and that his concerns would be considered as Council attempts to come up with a recommended Ordinance that can be enforced.

**Armand Bianchini** suggested that some type of notice be placed in the Borough's Directory requesting that residents should be time sensitive when they cut their lawns themselves or when contracting with a lawn service.

#### **DISCUSSION: REQUEST FROM THE TRI-BORO COMMUNITY EMERGENCY RESPONSE TEAM**

On behalf of her husband, Joe Threston, who was unable to attend tonight's meeting, Lisa Threston addressed Council. Mrs. Threston reported that her husband is a member of the Tri Boro Community Emergency Response Team (CERT). Mrs. Threston explained that the Tri-Boro CERT provides assistance in times of mass disaster with matters such as shelter set-up and management, basic first aid, assistance in missing person's searches, as well as assisting in other community activities. Mrs. Threston reported that the CERT Team is looking into getting assistance from the Tri-Boro communities for their vehicle. Mrs. Threston reported that Palmyra will provide the insurance for the vehicle and Cinnaminson will be providing the gas. Mrs. Threston stated that they are looking to Riverton to help with the vehicle maintenance. A discussion then ensued. Concern was raised by Ms. Cairns Wells that since our budget has already been adopted; she wasn't certain what we could do for this year. It was the consensus of Council that a definitive monetary amount be submitted by the Tri Boro CERT Team to Council at the June 8<sup>th</sup> meeting for review and consideration.

#### **COMMITTEE REPORTS**

##### **ZONING/ENVIRONMENTAL/ BD OF HEALTH-Mr. Katella**

In Mr. Katella's absence, the Clerk reported that the Zoning Board would be meeting on May 19<sup>th</sup> to hear a variance application from John and Terri Laverty, 616 Main Street.

##### **PUBLIC SAFETY/COURT/CODE ENFORCEMENT**

In Mr. Brown's absence, Ms. Cairns Wells read a report for the month of April that was submitted by Court Administrator Jackie Gleason. The total receipts for the month amounted to \$10,628.00. The total amount disbursed to Riverton amounted to \$5,867.08.

In Mr. Brown's absence Ms. Cairns Wells read a report for the month of April that was submitted by Deputy Fire Chief Robert Yearly. Fire Calls for the month 11, Drills 3, Calls In Town 6 and Calls Out of Town 5.

Chief Shaw read a report for the month of April. Vehicle Mileage 1728, Juvenile Arrests 0, Adult Arrests 17 (Contempt 8, Shoplifting 2, Harassment 1, Drug Paraphernalia 2, and DWI 2, and 1 Arrest from other Jurisdictions), Motor Vehicle Accidents 6, Motor Vehicle Stops 55, Motor Vehicle Warnings 2, Motor Vehicle Summonses (Riverton) 53, Alarms 10, Assistance to Other Agencies 29, Animal Complaints 6, Fire Calls 3, EMS Calls 21, Unattended Deaths 0, Criminal Cases 18, Incidents 222, Domestic 2, Thefts 3 (Shoplifting 2, Fraud 1), Burglaries 1-Residence/Garage, Assaults 1, Criminal Mischief 1, Robberies 0, Miscellaneous Calls 112, Total Calls Dispatched 384, Incidents 222 and Quick Calls 162.

#### **PLANNING/REDEVELOPMENT & SCHOOL**

Ms. Cairns Wells reported that the Planning Board will meet on May 17<sup>th</sup> and that the school budget passed.

#### **STREETS/SEWER/ECONOMIC DEVELOPMENT/SHARED SERVICES-Mr. Smyth**

Mr. Smyth reported that all is well with the streets and roads.

#### **PARK/RECREATION/SHADE TREE**

Mr. Myers reported that the park upgrades are almost done. Mr. Myers reported that he had sent a letter to the Burlington County Freeholders requesting permission to use the balance of the grant funds (\$66,725) to repair and resurface the existing basketball and tennis courts in Memorial Park. Mr. Myers reported that we should be hearing from them with their decision sometime in May. Mr. Myers reported that the work on the pocket park upgrades and Bank and Linden are almost completed. Mr. Myers suggested that we hold some type of dedication ceremony. It was the consensus of Council to agree to this.

#### **CORRESPONDENCE**

The Clerk announced that the Bridge Commission has sent notice that all Burlington County Municipalities are invited to bring their fire trucks, police emergency vehicles, dump trucks, etc to their facility and have those vehicles washed by Bridge Commission personnel, free of charge. The Clerk reported that all Department heads have been notified.

The Clerk reported that we received notification from the Department of Transportation (regarding our current grant in the amount of \$175,000.00 for various roadway improvements) that the Borough must award a contract for this project by October 14, 2012.

There being no further business to discuss, Ms. Cairns Wells moved that the meeting be adjourned. This was seconded by Mr. Smyth, with all present voting in the affirmative.

Mary Longbottom, RMC  
Municipal Clerk



June 8, 2011

The regular meeting of the Riverton Borough Council was held on the above date. Mayor Martin presiding.

**PRESENT:** Council members Katella, Brown, Cairns Wells, Smyth, Kinzler, Myers and Solicitor Bruce M. Gunn

The following statement was read by Mayor Martin:

Public notice of this meeting, pursuant to the Open Public Meetings Act, has been given by the Municipal Clerk in the following manner:

(a) Having written notification of all meetings to be held in 2011 published in the Burlington County Times on December 30, 2010

(b) Posting written notice on the official bulletin board on January 3, 2011

The minutes from May 11 were then presented. Mr. Brown moved that these minutes be approved as submitted. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**FINANCIAL ITEMS:** Mr. Kinzler

**TREASURER'S, FINANCE REPORT & BILL LIST FOR APPROVAL**

Mr. Kinzler moved that the attached reports for the month of May be approved as submitted. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**ORDINANCE 2011-8**

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$95,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$90,250 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

**(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Mr. Kinzler, who moved for its adoption. This was seconded by Ms. Cairns Wells. Mr. Kinzler stated that while the required public hearing was held on this Ordinance at last month's meeting, final adoption could not be considered because there was not the requisite number of Council members present to vote on it. A poll vote was then taken to finally adopt this Ordinance. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**RESOLUTION 46-11**

**A RESOLUTION AUTHORIZING THE CANCELLATION OF AN OLD OUTSTANDING CHECK**

**(IN FULL IN RESOLUTION BOOK)**

The above resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**REVIEW OF ENERGY COST COMPARISONS FOR ELECTRICITY RECEIVED FROM THE CENTRAL ENERGY COMPANY**

Mr. Smyth reported that he was contacted by a Central Energy Agent who provided a customized cost analysis (fixed and variable) showing that the Borough would secure lower electricity costs by switching from PSE&G to Hudson Energy. Mr. Smyth stated that there are other groups that do this also.

Mr. Gunn reported that the monies that we pay for electricity exceeds the bid threshold. The question then is whether or not electricity is exempt from the local public contracts law bidding requirements. The answer would be no, with two exceptions. One exception would be if we generated our own electricity and the other would be if we were involved with a facility that qualifies as a small power production facility. Mr. Gunn reported that one of his associates conferred with a representative of the Department of Community Affairs (DCA) who has confirmed the bidding requirement and the two exceptions. Mr. Gunn further stated DCA also advised that any company employed to provide electricity to a municipality must be licensed by the Board of Public Utilities to provide electricity. The company must also be tarrified. Mr. Gunn reported that specifications would have to be drawn up to go out to bid for electricity. The DCA also suggested that we check with the Burlington County Purchasing Agent to find out if Burlington is a co-op with other southern counties because there might be a way that they could be able to provide electricity at a cheaper cost. Discussion ensued. Mr. Kinzler would like to look at whatever the County might offer as well as the development of required specifications. Mr. Smyth volunteered to contact the County on this issue and to further discuss the development of specifications with Mr. Gunn and report back to Council. Council concurred with this suggestion and took this issue under advisement.

#### **CORRESPONDENCE**

Mayor Martin read a letter from members of the Porch Club thanking the Governing Body for all their support regarding the "Paint the Porch Pink" breast cancer walk that was held on June 5, 2011.

#### **MEETING OPEN TO THE PUBLIC**

**Gerald Weaber** announced that the Historical Society would be holding their next meeting on June 9<sup>th</sup> at the Bank on Main Street. There will be a remembrance of Borough Historian, Betty Hahle at this meeting.

**James and Mary Jane Wittmeyer, 703 10<sup>th</sup> Street** stated that they were here tonight regarding their complaints concerning 701 10<sup>th</sup> Street. Mr. Brown stated that he was aware of the issues at this location.

Mr. Wittmeyer reported that this property is in foreclosure and believes that the name of the owner on borough records is incorrect. He believes the correct data is Chase and the correct mortgage contracting service is Mortgage Contracting Services of Tampa Florida. Mr. Brown reported that our Code Enforcement Officer sent letters on May 5<sup>th</sup> to the owner listed on Borough records citing violations to Chapter 52-2 and Chapter 128-60 of the Borough Code.

Mr. Wittmeyer believes that the owners have vacated the premises and that there are now squatters living at this property. Mr. Wittmeyer wants to know when the Borough will do something about this property since, to date; nothing has been done about these issues. Mr. Wittmeyer wants the Borough to take care of the issues and place a lien against the property as outlined in Chapter 52 and get the place cleaned up. Mr. Mr. Brown asked Mr. Wittmeyer to provide him with the ownership information he has and he will take care of it as quickly as possible.

Mr. Gunn then provided an overview of the requirements of Chapter 52, in particular that 10 days notice must be given to the owner, occupier or tenant informing them that if they do not take care of remedying the violations, the Borough will step in and clean the property up and then place a lien against the property. Ms. Cairns Wells stated that if Borough records show who the owner or owners are, we should send them a notice tomorrow. This then fulfills the obligation of the ordinance and if they don't remedy the violations within the 10 day time frame then the Borough can step in. Mr. Gunn concurred and indicated that we can also carbon copy anybody else that we believe has a vested interest in this property.

**Carla Donnegan** of the Orchard Friends School, informed Council that they would be holding a 5K race on October 29, 2011 from 10:00am-1:00pm. Ms. Donnegan stated that the school held a similar event last year. Ms. Donnegan is aware that a Certificate of Insurance listing the Borough as an additional insured is a requirement. Ms. Donnegan also asked if information about this event could be posted on the Borough's website. The response was yes. Ms. Donnegan will also coordinate the race route with the Police Department for any possible road closures.

**Cara Vandy** stated that she has seen an article in the paper pertaining to the proposed dog park. She asked for a status report on this issue. Mr. Myers reported that the Riverton Improvement Association has withdrawn their request for the placement of a dog park in Riverton Park.

#### **COMMITTEE REPORTS**

##### **PUBLIC SAFETY/CODE ENFORCEMENT/COURT-Mr. Brown**

Chief Shaw read a report for the month of May. Vehicle Mileage 1824, Juvenile Arrests 2, Adult Arrests 11 (Contempt 8, Hindering 1 and DWI 2), Motor Vehicle Accidents 5, Motor Vehicle Stops 85, Motor Vehicle Warnings 9, Motor Vehicle Summonses-Riverton 76, Alarms 17, Assistance to Other Agencies 18, Animal Complaints 10, Fire Calls 2, EMS Calls 20, Unattended Deaths 0, Criminal Cases 17, Incidents 220, Domestic Violence 2, Thefts 2 (Bikes), Burglaries 0, Assaults 1, Sexual Assaults 0, Criminal Mischief 0, Robberies 0, Miscellaneous Calls 85, Total Calls Dispatched 445, Incidents 220 and Quick Calls 225.

Mr. Brown read a report for the month of May that was submitted by Deputy Fire Chief, Robert Yearly. Fire calls for the Month 20, Drills 3, Calls In Town 9 and Calls Out Of Town 11.

Regarding Code Enforcement issues, Mr. Brown reported that our Code Enforcement Officer has sent letters to the owners of 219 Elm Street, 419 Linden Avenue, 414 Main Street, 414 Fulton Street and 108 7<sup>th</sup> Street for various code violations such as, brush and debris issues and disrepair of a fence.

Mr. Brown reported that additional name plates were placed on the War Memorial during the recent Memorial Day celebration.

Mr. Brown reported that the Riverton Improvement Association (RIA) has requested permission to re-locate a planter from the plaza location to the front of the Ice Cream Parlor. Mr. Gunn stated that the Broad Street Enhancement grant agreement documents state that the Borough shall operate, use and maintain the equipment placed at this location. Mr. Gunn's concern about moving this planter, (which was part of the original plans approved by the Department of Transportation), is that it could be construed that we are in violation of the grant agreement and we might have to return the

monies. Mr. Gunn explained that the plaza is actually county property (right of way with the Bridge Commission). The Bridge Commission had previously granted us an easement, which was a requirement for the federal funding portion of this enhancement grant. At the very least, we would have to ask the Bridge Commission for permission to move the planter. Mr. Brown stated that he thought this was a non issue and he would speak to the representatives of the RIA about coming up with a different project.

**Gene Bandine** believes that the plaza should be left the way it is and that proper trash receptacles need to be placed at this location. Mr. Bandine reported that the owner of the Yoga Studio will be placing planters outside of her business. Mr. Bandine reported that the Ice cream parlor has already placed plants outside their business. Mr. Bandine was of the opinion that we don't need any additional plants that need to be watered.

#### **DISCUSSION: NEW RULES AND REGULATIONS FOR THE POLICE**

**DEPARTMENT** Mr. Brown distributed this draft document to Council for their review and possible discussion at the July 13<sup>th</sup> meeting.

#### **STREETS/SEWER/ECONOMIC DEV/SHARED SERVICES-Mr. Smyth**

Mr. Smyth reported that the County is offering municipalities the opportunity to participate in their roadway striping contract. Mr. Smyth reported that this would not be relevant to Riverton.

#### **PLANNING/REDEVELOPMENT-Ms. Cairns Wells**

Ms. Cairns Wells reported that she and Public Works Manager, Scott Reed attended a recent preliminary fact finding meeting with representatives of the Cinnaminson Sewerage Authority. This pertains to our interest in exploring the possibility of entering into a joint shared services agreement whereby they would take Riverton's wastewater for processing. Ms. Cairns Wells reported that Cinnaminson's Sewerage Authority would be drafting a letter to us that outlines what they would be looking for from Riverton for our review and consideration. Ms. Cairns Wells reported that they do have the capacity to take us on. Mr. Smyth stated that it would be very important to know what the connection costs would be. This issue was taken under advisement by Council.

Ms. Cairns Wells reported that the 4<sup>th</sup> of July cocktail party is set for June 25<sup>th</sup> at the Riverton Yacht Club. Tickets are on sale at various locations throughout the Borough.

Mayor Martin announced that he was appointing Tracy Foedisch to serve as Alternate No. 2 on the Municipal Planning Board.

#### **PARK/SHADE TREE-Mr. Myers**

Mr. Myers reported that a ribbon cutting ceremony was held this evening at the Linden Landing pocket park at Bank & Linden Avenues.

Mr. Myers reported that work continues on phase one of the park upgrades.

#### **ZONING/BD OF HEALTH/ENVIRONMENTAL-Mr. Katella**

Mr. Katella reported that the Zoning Board approved a variance application to the owners of 616 Main Street at their last meeting. The Board is scheduled to hear an application pertaining to a fence issue at 302 Harrison at their next meeting.

#### **UPDATE RE: 815 HOMEWOOD DRIVE**

Ms. Cairns Wells reported that a final decision has been made that they (Quality Management) are going to cut the pipe down where it is and provide landscaping to conceal it. Quality Management will probably need a construction permit for this.

Because of all the issues surrounding this group home, Ms. Cairns Wells requested that Council waive the permit fee to expedite this process. Our construction official needs an authorizing resolution waiving this fee from the governing body for his records.

**RESOLUTION 47-11**

**A RESOLUTION TO WAIVE THE PERMIT FEE RELATIVE TO THE  
RELOCATION AND/OR RECONFIGURATION OF THE STANDPIPE AT 815  
HOMWOOD DRIVE  
(IN FULL IN RESOLUTION BOOK)**

The above resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye. Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

There being no further business to discuss, Mr. Brown moved that the meeting be adjourned. This was seconded by Ms. Cairns Wells, with all present voting in the affirmative.

Mary Longbottom, RMC  
Municipal Clerk

July 13, 2011

The regular meeting of the Riverton Borough Council was held on the above date. Mayor Martin presiding.

**PRESENT:** Council members Katella (arrived at 7:45pm), Brown, Cairns Wells, Smyth, Kinzler (arrived at 8:00pm), Myers and Solicitor William Martin (filling in for Mr. Gunn)

The following statement was read by Mayor Martin:

Public notice of this meeting, pursuant to the Open Public Meetings Notice Act, has been given by the Municipal Clerk in the following manner:

(a) Having written notification of all meetings to be held in 2011 published in the Burlington County Times on December 30, 2010

(b) Posting written notice on the official bulletin board on January 3, 2011

The minutes from June 8 were then presented. Mr. Brown moved that these minutes be approved as submitted. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

#### **MEETING OPEN TO THE PUBLIC**

**Jackie Dorworth** asked if there was any legal action pending regarding 108 7<sup>th</sup> Street.

Mr. Brown responded yes, two more notices have been sent out by our Code Enforcement Officer in June and July concerning the deterioration of this property. Mr. Brown reported that our Solicitor will be going back in court because the owners have not complied with the Judge's orders. Mrs. Dorworth asked if the owners ever reimbursed the Borough when the Public Works Department cleaned up the property two years ago. Mr. Brown responded yes. Mr. Brown stated that the owners did pay four thousand dollars in fines. Mr. Brown stated that he would be making a motion under his committee reports that the Public Works Department be authorized to clean up this property

**James Wittmeyer** asked why Chapter 52 of the Borough Code has not been implemented regarding 701 10<sup>th</sup> Street. He thought that at the last meeting notice was to be given to the owners of this property that they had 10 days to clean up their property or the Borough would do it and place a lien against their property. To date, nothing has been done at this property. Ms. Cairns Wells concurred with Mr. Wittmeyer's comment and asked if notice had been given to the owners of this property after our June 8<sup>th</sup> meeting. Mr. Brown responded no, but that notice was recently sent to the owners. Mr. Brown provided an overview of what the Borough has been doing to remedy this situation. Ms. Cairns Wells raised concern as to what we will do if this becomes an ongoing problem. She recommended that our solicitor write a letter to the owners, the Mortgage Company or property maintenance company explaining what the Borough has done and that if it continues, we will start to implement fines. Mr. Brown stated that he would be doing a motion under his committee reports that the Public Works Department be authorized to clean up this property.

**Michael Fosbenner**, who lives on 10<sup>th</sup> Street, commented that there is also a huge tree that is cracked in half at this location and is dangerous. This could be a massive clean up project. Ms. Cairns Wells commented that we do have a tree contractor who can handle this.

**Richard Rauth** commented that there is a huge tree, which is half dead, right next to the buried oil tank at 108 7<sup>th</sup> Street. Mr. Rauth also reported other issues with this particular property that need to be addressed.

**Gene Bandine** thought that the 4<sup>th</sup> of July parade was excellent. Mr. Bandine thought it would be nice if more people applauded the participants in the parade.

**Carlos Rogers** provided Council an overview of the successful Historic Criterium bicycle race recently held on June 12<sup>th</sup>. Mr. Rogers stated that he would like to make this an annual Riverton event and is looking for Council's endorsement. Mr. Rogers thanked the Borough for posting information and photos of this event on the Borough's website. Mr. Rogers stated that he had created a facebook page for the recent bicycle race and he suggested that the Borough might consider having one also. Mr. Rogers thought this would be very helpful in getting information out to a wider range of people. Mr. Rogers stated that he would be making donations to the Borough for utilization at the park and for the Shade Tree Commission. A discussion ensued with the consensus of Council agreeing to endorse the event on an annual basis. Mayor Martin asked that Mr. Rogers confer with the Riverton Yacht Club to make sure that the date chosen for the event next year does not conflict with any planned regatta.

#### **RESOLUTION 48-11**

### **A RESOLUTION ENDORSING A USA CYCLING SANCTIONED BICYCLE RACE IN THE BOROUGH OF RIVERTON (IN FULL IN RESOLUTION BOOK)**

Ms. Cairns Wells read the above Resolution by title only and moved for its adoption. This was seconded by Mr. Katella. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**Richard Rauth** thanked Mr. Brown for all his help in getting his name placed on the War Memorial.

**FINANCIAL ITEMS:** Mr. Kinzler

#### **TREASURER'S, FINANCE REPORT & BILL LIST FOR APPROVAL**

Mr. Kinzler moved that the attached reports for the month of June be approved as submitted. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

#### **CERTIFICATE OF DETERMINATION AND AWARD**

Mr. Kinzler announced that a Bond Anticipation Note was issued in the amount of \$242,000 at an interest rate per annum of 2.25%. The place of payment is Beneficial Mutual Savings Bank.

#### **COMMITTEE REPORTS**

##### **PUBLIC SAFETY/CODE ENFORCEMENT & COURT-Mr. Brown**

Mr. Brown read a report for the month of June that was submitted by Chief Shaw. Vehicle Mileage 1695, Juvenile Arrests 2, Adult Arrests 14 (Contempt 8, Hindering 1, Simple Assault 2, Theft of Motor vehicle 1, Poss. Drug Para. 1, and Conspiracy to commit Child Endangering and Sexual Assault 1), Motor vehicle Accidents 2, Motor Vehicle Stops 39, Motor Vehicle Warnings 22, Motor Vehicle Summonses 17 (Riverton), Alarms 19, Assistance to Other Agencies 33, Animal Complaints 8, Fire Calls 8, EMS Calls 31, Unattended Deaths 0, Criminal Cases 18, Incidents 245, Domestic 2, Thefts 7

(Bikes 6 and Motor Vehicles 1), Burglaries 3 (Residence/garage), Assaults 2, Sexual Assaults 1, Criminal Mischief 0, Robberies 0, Miscellaneous Calls 85, Total Calls Dispatched 351, Incidents 245 and Quick Calls 106.

Mr. Brown read a report for the month of June that was submitted by Deputy Fire Chief, Robert Yearly. Fire Calls For Month 16, Drills 3, Calls In Town 9 and Calls Out Of Town 7.

Mr. Brown read a report for the month of May that was submitted by Court Administrator, Jackie Gleason. Total receipts for the month amounted to \$9,243.00. The total amount disbursed to Riverton amounted to \$5,517.13.

#### **RESOLUTION 49-11**

### **A RESOLUTION APPOINTING ADDITIONAL PERSONNEL FOR THE RIVERTON MUNICIPAL COURT (IN FULL IN RESOLUTION BOOK)**

Mr. Brown read the above Resolution by title only by Mr. Brown, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

Regarding Code Enforcement, Mr. Brown reported that our Code Enforcement Officer recently sent specific property owners on the 400 Block of Main, the 300 Block of Penn and the 500 Block of Broad Street letters pertaining to specific code violations.

#### **UPDATE RE: REQUEST FROM TRI BORO CERT (COMMUNITY EMERGENCY RESPONSE TEAM.**

Ms. Cairns Wells stated that Lisa Threston had addressed Council on this request at our May 11<sup>th</sup> meeting. Ms. Cairns Wells stated that Council had asked that a definitive monetary amount be submitted for Council's consideration. Ms. Cairns Wells reported that Rick Dreby has now made a written request for no more than a \$1,000.00 to offset some of the costs associated with maintaining their vehicle throughout the year. Ms. Cairns Wells raised concern that our budget has already been adopted and that we are operating under tight fiscal constraints. After some discussion, it was the consensus of Council that a letter be sent by Ms. Cairns Wells to Mr. Dreby informing him that this request cannot be granted at this time and asking that his organization submit a formal request to Borough Council before the end of this year so that due consideration can be given during the 2012 budgetary process.

#### **DISCUSSION: NEW RULES AND REGULATIONS FOR THE POLICE DEPARTMENT**

Mr. Brown asked if anyone from Council had any questions or concerns regarding this document, which was distributed at last month's meeting for their review. It was the [consensus of Council that we move forward and introduce an Ordinance to adopt these new rules and regulations.

#### **ORDINANCE 10-11**

### **AN ORDINANCE OF THE BOROUGH OF RIVERTON RESCINDING THE EXISTING RULES AND REGULATIONS OF THE RIVERTON POLICE DEPARTMENT, DATED NOVEMBER 14, 2002, AND SUBSTITUTING THE NEW RULES AND REGULATIONS OF THE RIVERTON POLICE DEPARTMENT, DATED JULY 13, 2011**

The above Ordinance was read by title only for the first time by Mr. Brown, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye. Second reading and a public hearing on this Ordinance is scheduled for August 10.

**MOTION 108 7<sup>TH</sup> STREET**

Mr. Brown made a motion for our Public Works Department to go out and clean up this property and submit a bill to be forwarded to the owners for reimbursement purposes. If reimbursement is not made, a lien will be placed against this property. Ms. Cairns Wells asked if notice was sent to the owners about these issues. Mr. Brown responded yes, they were notified in June and again in July. This motion was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**MOTION 701 10<sup>TH</sup> STREET**

Mr. Brown made a motion for our Public Works Department to go out and clean up this property and submit a bill that will be forwarded to the owners for reimbursement purposes. If a reimbursement is not made, a lien will be placed against this property. This motion was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**STREETS/SEWER/ECONOMIC DEV/SHARED SERVICES-Mr. Smyth  
REVIEW OF PROPOSAL FROM T&M ASSOCIATES (DESIGN/PERMITTING)  
FOR THE INSTALLATION OF A BACKFLOW PREVENTION DEVICE AT  
THE WASTEWATER TREATMENT FACILITY**

Mr. Smyth reported that the New Jersey Department of Environmental Protection (NJDEP) did a Compliance Evaluation and Assistance Inspection of our Wastewater Treatment Facility on May 27, 2011. We were cited on our below ground backflow preventer, which is no longer allowed. We also need an air permit for our generators. Mr. Smyth reported that T & M Associates, the Borough's Wastewater Treatment Facility Engineer, has submitted a Proposal in the amount of \$4,457.00 for Design/Permitting and Construction Management Services. Mr. Smyth reported that our Engineer's are estimating that the probable construction cost will be below the Borough's bidding threshold of \$36,000.00. A discussion ensued, with the consensus of Council that T&M's cost proposal seems to be high. Council also needs to know what the timeframe is for compliance and if the NJDEP would allow us to defer until 2012. Mr. Smyth will meet and discuss these issues with our Public Works Manager and Wastewater Treatment Facility Operator. Council will be kept apprised of this issue.

**UPDATE RE: POSSIBLE ENERGY UTILITY COST SAVINGS PROGRAMS  
(ELECTRICITY & SOLAR)**

Mr. Smyth reported that we have already done the energy audit and we received grants to do improvements at Borough Hall and the Wastewater Treatment Facility. Mr. Smyth reported that he made inquiries to the County and the Bridge Commission about the possibility of any shared services or co-op options to reduce energy costs. Mr. Smyth reported that they are working on this issue. Mr. Smyth suggested that Council not consider going out to bid for electricity at this time; we should wait and see what the County and/or Bridge Commission will do. Council took this issue under advisement.

**PLANNING/REDEVELOPMENT/SCHOOL**-Ms. Cairns Wells

Ms. Cairns Wells reported that the 4th of July celebration was a huge success. Ms. Cairns Wells also reported that the standpipe at 815 Homewood Drive was cut down and that the landscaping is scheduled to be done.

**ZONING/ENVIRONMENTAL/BD OF HEALTH**-Mr. Katella

Mr. Katella reported that at the Zoning Board's next meeting, the Board is scheduled to do a memorializing resolution regarding a fence variance on Harrison Street. They will also hear a variance application from the owners of 603 Bank that pertains to their request to demolish and construct a single story garage.

**SHADE TREE/PARK**-Mr. Myers

Mr. Myers reported that the field project is almost complete. Mr. Myers reported that the soccer clubs will not be allowed to play on the improved area in the Fall. Mr. Myers reported that the Park & Recreation Commission will be meeting to review and discuss Phase II of our proposed park (grant) project, which will be the reconstruction of the grandstand.

**UPDATE RE: 2011 BUDGET**

Mr. Kinzler reported that the legal fee line item seems to be in good shape and that the Uniform Construction Code Salaries and Wages is a new line item in this year's budget. Mr. Kinzler questioned what the DCA training fees were. The Treasurer responded that the Construction Department is required to pay the State a percentage out of the permit payments. The Treasurer also reported that we received a refund regarding our Worker's Compensation charges based on a recent audit review. Mr. Kinzler reported that we have already spent \$30,000.00 of the \$40,000.00 budgeted for police overtime. Mr. Kinzler reported that we placed \$10,000.00 for the Volunteer Ambulance Squad's line item this year. This has not been paid yet. Mr. Kinzler reported that the line item for Streets/Roads Maintenance materials and signs is exceeding what we budgeted for. We budgeted for \$9,000.00 and have already spent \$7,000.00. Mr. Kinzler reported that the Shade Commission has spent \$22,000.00 of their \$40,000.00 budget. The Treasurer asked if it was okay to pay our Tree Contractor out of the donation money received. Mr. Myers commented that he thought that Shade Tree donation money is to be earmarked for new trees. This issue will need to be discussed with Shade Tree Chairman, Barry Emens. Mr. Kinzler reported that we budgeted \$6,500 for Police Vehicle Maintenance and we have spent \$4,700.00 to date. Mr. Kinzler reported that the electricity line item seems to be trending well. Mr. Kinzler reported that the overtime line item for the Wastewater Treatment Facility seems to be in good shape. Mr. Kinzler reported that we budgeted \$10,000.00 for the testing fees for this department and have already gone through \$8,000.00. Mr. Kinzler reported that we need to keep a close look at the jetter fees and professional service fees for this department. Mr. Kinzler reported that we budgeted \$25,000.00 for gasoline this year and have spent \$9,000.00. Mr. Kinzler reported that our Landfill fees are trending well so far. Mr. Kinzler reminded Council that this is a very tight budget.

**CORRESPONDENCE-NONE**

**RESOLUTION 50-11**

**A RESOLUTION PERMITTING THE EXCLUSION OF THE PUBLIC FROM A MEETING IN CERTAIN CIRCUMSTANCES PER SECTION 8 OF THE OPEN PUBLIC MEETINGS ACT C.231 P.L. 1975**

**(IN FULL IN RESOLUTION BOOK**

The above Resolution was read by title only by Mr. Brown, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye. It should be noted that a personnel matter (police manpower issue) will be discussed.

At this time Richard Rauth asked to make a few comments.

Ms. Cairns Wells moved that we return to public session to hear Mr. Rauth. This was seconded by Mr. Brown, with all present voting in the affirmative.

**Richard Rauth** asked what was going on with the Comcast monopoly and why is it that we can't get Verizon Fios in town. The Clerk stated that the Borough presently has a 15 year franchise agreement with Comcast that runs until the end of 2014. Ms. Cairns Wells reported that Comcast is legally bound to notice the Borough (which they have already done) within three years of the expiration date of their franchise with us. Mr. Rauth asked if we could break this contract. Solicitor Martin stated that we cannot break the contract; however, we can review it to see if there is some type of out. Mr. Martin also commented that we would have to find out if Verizon Fios would even be interested in coming into the Borough. Mr. Rauth believes we have a restriction in trade because he can't go to Verizon for fios and they can't come into town. Mr. Martin was of the opinion that it is not a restriction in trade. Verizon Fios was not available when the agreement was made. Mr. Rauth believes we should not have a contract with Comcast. A discussion ensued with this issue taken under advisement.

Mr. Rauth inquired about the waste oil tank at the Public Works facility. He tried to drop off some oil and was told that they no longer accept it. Mr. Smyth commented that the rules have changed and that he would confer with our Public Works Manager on this issue.

Mr. Rauth addressed Council on the check valve installation requirement at the Waste Water Treatment Facility. He inquired whether we would talk to other towns to find out if they have also been strong armed by the NJDEP to install this. Mr. Smyth responded that this was a standard inspection with this finding as one of the enforcement actions. Mr. Smyth indicated that he would confer with Cinnaminson Township on this issue.

Mr. Brown moved that Council return to closed session. This was seconded by Ms. Cairns Wells, with all present voting in the affirmative.

Ms. Cairns Wells moved that Council return to public session. This was seconded by Mr. Brown, with all present voting in the affirmative.

There being no further business to discuss, Ms. Cairns Wells moved that the meeting be adjourned. This was seconded by Mr. Brown, with all present voting in the affirmative.

Mary Longbottom, RMC  
Municipal Clerk

August 10, 2011

The regular meeting of the Riverton Borough Council was held on the above date. Mayor Martin presiding.

**PRESENT:** Council members Brown, Cairns Wells, Kinzler (arrived at 8:05pm), Myers and Solicitor Bruce M. Gunn

**ABSENT:** Council members Katella and Smyth

The following statement was read by Mayor Martin:

Public notice of this meeting, pursuant to the Open Public Meetings Act, has been given by the Municipal Clerk in the following manner:

(a) Having written notification of all meetings to be held in 2011 published in the Burlington County Times on December 30, 2010

(b) Posting written notice on the official bulletin board on January 3, 2011

The open and closed session minutes from July 13<sup>th</sup> were then presented. Mr. Brown moved that these minutes be approved as submitted. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth absent, Mr. Kinzler absent and Mr. Myers aye.

#### **OVERVIEW OF 2011 BEST PRACTICES WORKSHEETS AND PROPOSED PAY-TO-PLAY ORDINANCE**

Council reviewed the answers to this year's required best practices worksheets. A copy is on file with the Municipal Clerk. Ms. Cairns Wells reported that she met with our Chief Financial Officer (who needs to sign off on this document), Clerk, Treasurer and other Department Heads to prepare the Borough's responses. Ms. Cairns Wells reported that this year's questionnaire has been shortened from 80 questions to 50. After calculating the Borough's answers, it was determined that we should receive 100% of the final 5% allocation of our state aid, which is good news. Ms. Cairns Wells reported that we were permitted to list "Prospective" as an answer to those questions which we thought were good ideas and wanted to implement. One of questions was whether we had adopted a Pay-to Play Ordinance, which the Borough does not. Ms. Cairns Wells thought it would be a good thing if Council were to consider adopting a Pay-to Play Ordinance. She reported that there is a model ordinance available, which she asked our Solicitor to review and to have a draft document prepared for Council's September 14<sup>th</sup> meeting to consider. Ms. Cairns Wells provided an overview of some of the other areas where we should implement policies, such as having a back-up policy for our data system (now in place), the establishment of a policy for absence from meetings for Council and the Boards, Commissions and Committees, to require elected officials to have formal training as is required for our Planning/Zoning Board members and the need for an e-mail/internet policy.

#### **MEETING OPEN TO THE PUBLIC**

**Richard Rauth** asked for an update on 108 7<sup>th</sup> Street and when the property will be cleaned up. Mr. Brown responded that he is waiting for the availability of the Public Works Department to get this done. Mr. Rauth asked if anyone looked at the deteriorating tree at this location. Mr. Gunn responded that our ordinance is not broad enough to include tree removal unless it is an eminent hazard. We would need a written opinion from the Borough's Tree Contractor and Certified Tree Expert (Paul May Tree Service) and our Shade Tree Commission.

Mr. Brown reported that our Public Works Department recently cleaned up the property located at 701 10<sup>th</sup> Street.

**Jackie Dorworth** asked how we stand legally with the property owner. Mr. Gunn responded that the only thing subject to enforcement action is the permitting issue. The property owner had obtained the required permits; however, the work was not completed within a year. Mr. Gunn stated that we can take him to court over this. Mr. Gunn further stated that it has been very difficult to serve the property owner. A process server has to be sent out. Mrs. Dorworth raised concern that even though the Borough will come out to clean up the property, what can be done with the rest of the unsightly and unsafe problems at this location. Mr. Gunn stated that we would have to get the Construction Official to declare the property unfit for habitation. Mrs. Dorworth is disheartened at the number of years all of these issues have been going on. Mr. Rauth inquired as to whether the County Board of Health has been called about this property. Mr. Gunn responded that he thought they were. A discussion ensued with the consensus being that our Solicitor be authorized to go back to court on the issues concerning this property.

**TREASURER'S REPORT/FINANCE REPORT & BILL LIST FOR APPROVAL-**  
Mr. Kinzler

Mr. Kinzler moved that the attached reports for the month of June be approved as submitted. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth absent, Mr. Kinzler aye and Mr. Myers aye.

**SEWER COLLECTION STATUS-**This discussion was tabled until Council's September 14<sup>th</sup> meeting.

#### **COMMITTEE REPORTS**

**PUBLIC SAFETY/CODE ENFORCEMENT & COURT-**Mr. Brown

Chief Shaw read a report for the month of July. Vehicle Mileage 1879, Juvenile Arrests 0, Adult Arrests 18 (Contempt 14, Hindering 1, Simple Assault 1, Shoplifting 2 and Poss. of Marijuana 1), Motor Vehicle Accidents 3, Motor Vehicle Stops 68, Motor Vehicle Warnings 31, Motor Vehicle Summonses 37 (all Riverton), Alarms 16, Assistance to Other Agencies 37, Animal Complaints 6, Fire calls 5, EMS Calls 29, Unattended Deaths 0, Criminal Cases 20, Incidents 280, Domestic 1, Thefts 8 (Bikes 2, Jewelry/Money 3, Shoplifting 3), Burglaries 2 (Residence/Garage), Assaults 1, Sexual Assaults 0, Criminal Mischief 1, Robberies 0, Miscellaneous Calls 85, Total Calls Dispatched 412, Incidents 280 and Quick Calls 132.

Mr. Brown read a report for the month of July that was submitted by Court Administrator, Jackie Gleason. The total receipts for the month amounted to \$7,676.00. The total amount disbursed to Riverton amounted to \$3,745.58.

Mr. Brown read a report for the month of July that was submitted by Deputy Fire Chief, Robert Yearly. Fire Calls for the Month 22, Drills 3, Calls in Town 11 and Calls out of Town 11.

Mr. Brown reported that the Public Safety Committee had wanted to meet with the representatives of the Riverton Police Association on July 22<sup>nd</sup> to commence the negotiation process for a new police contract. Mr. Brown reported that the current contract ends at the end of this year. Mr. Brown stated that he was informed by the President of the Riverton Police Association that their Labor Council representative would not be available until after August. Council will be kept apprised of this issue.

**ORDINANCE 2011-10**  
**AN ORDINANCE OF THE BOROUGH OF RIVERTON RESCINDING THE**  
**EXISTING RULES AND REGULATIONS OF THE RIVERTON POLICE**  
**DEPARTMENT, DATED NOVEMBER 14, 2002, AND SUBSTITUTING THE**  
**NEW RULES AND REGULATIONS OF THE RIVERTON POLICE**  
**DEPARTMENT, DATED JULY 13, 2011**  
**(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only by for the second time by Mr. Brown, who moved for its adoption. This was seconded by Mr. Myers. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. There being no public comment, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth absent, Mr. Kinzler aye and Mr. Myers aye.

**PROCLAMATION**  
**A PROCLAMATION IN HONOR OF THE 10<sup>TH</sup> ANNIVERSARY OF THE**  
**TERRORIST ATTACKS COMMITTED AGAINST THE UNITED STATES ON**  
**SEPTEMBER 11, 2011**  
**(IN FULL IN RESOLUTION BOOK)**

Mr. Brown read the above Proclamation in full.

**STREETS/SEWER/ECONOMIC DEVELOPMENT/SHARED SERVICES-Mr.**  
Smyth

**2011 ROAD PROGRAM**

The Clerk reported that the Borough previously received a grant from the Department of Transportation (DOT) in the amount of \$175,000.00 to overlay and mill the following roads in the Borough: South Broad Street from Elm Terrace to Thomas Avenue, Cinnaminson Street from Broad to Fifth Street, Bank Avenue from Morgan Avenue to Howard Street and Highway from Thomas Avenue to Main Street. The Clerk also reported that during the budgetary process, Council had placed the required amount in our capital budget line item to offset the additional costs for this project not included with the grant funding. The Clerk asked if Council wanted to move forward with this project now or wait until next year. The Clerk reminded Council that the DOT has given the Borough until October 4, 2012 to award a contract for this project. After a short discussion, it was the consensus of Council that this road project should be started and completed this year and that our engineer should be authorized to proceed.

**RESOLUTION 51-11**  
**A RESOLUTION AUTHORIZING LAND ENGINEERING & SURVEYING**  
**COMPANY TO PREPARE AND ADVERTISE BID SPECIFICATIONS FOR THE**  
**2011 MUNICIPAL AID GRANT ROAD PROGRAM**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Kinzler. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth absent, Mr. Kinzler aye and Mr. Myers aye.

**UPDATE RE: PROPOSAL FROM T&M ASSOCIATES FOR THE**  
**INSTALLATION OF A BACKFLOW PREVENTION DEVICE AND GENERAL**

## **AIR PERMIT APPLICATION AT THE WASTEWATER TREATMENT FACILITY**

The Clerk reported that T&M Associates has submitted a revised proposal in the amount of \$2,669.00 (does not include Construction Management Services) as opposed to the original proposal costs of \$4,457.00 regarding the above referenced issues. This was done because it was the consensus of Council that the original proposal was too high. This new proposal does not include the \$150.00 permit fee for the NJDEP Initial Physical Connection Permit Application and the \$410.00 fee for the Emergency Generators General Permit Registration Form, which is the responsibility of the Borough. A discussion then ensued. It was the consensus of Council that T&M Associates be asked to prepare the necessary documentation for only the initial permit for under \$1,000.00. Public Works Manager Scott Reed and our Licensed Wastewater Treatment Facility Operator, Brad Young, will meet with representatives of T&M Associates to inform them of council's decision.

**Richard Rauth** heard that we might be connecting to Cinnaminson's Sewerage Authority. Ms. Cairns Wells reported that we have only had one meeting with representatives from the authority to discuss this issue. We are waiting for them to send the Borough a letter outlining the things that were reviewed at this meeting which would spell out what they would be looking for.

### **PLANNING/REDVELOPMENT/SCHOOL- Ms. Cairns Wells**

Mayor Martin stated that preliminary discussions have commenced to possibly consider combining the Planning and Zoning under one Municipal Land Use Board as a way to save money. Other towns similar in size to Riverton have also done this. Mayor Martin and Ms. Cairns Wells reported that there has been a decrease in work on both boards this year and it might be a good idea to seriously consider this option. It was the consensus of Council to pursue this suggestion.

### **SHADE TREE/PARK- Mr. Myers**

Mr. Myers reported that in the month of June, there was one planting, 22 trimmings and 8 removals. There was also some damage from the storm last week.

## **RESOLUTION 52-11**

### **A RESOLUTION APPROVING CHANGE ORDER NO. 1 FOR THE RIVERTON MEMORIAL PARK IMPROVEMENTS (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Myers, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth absent, Mr. Kinzler aye and Mr. Myers aye.

A resident and local business owner (John Latimer) contacted Mr. Myers regarding a service project (painting of the train shed) that a number of high schooler's will be doing. Barclay Insurance Company will supply the paint. Mr. Myers reported that we would be doing some minor repairs to the trim areas before the painting commences.

Mr. Myers reported that the additional grant money (\$250,000.00) we received from the County for Phase II of our Park Improvements will be utilized to reconstruct the grandstand. The Park & Recreation Commission will be meeting monthly (the 4<sup>th</sup> Tuesday of every month at 7:30pm) and their goal is to have something in place for Council to consider by the end of this year. The public is welcome to provide their input.

**Richard Rauth** inquired as to who was in charge of the eagle at the train station. It needs to be painted and he volunteered to do this. Mr. Brown asked if he could do this at the level that it was painted in the past. Mr. Rauth was unsure of this. Mr. Brown stated that we are working on getting this done. There also needs to be some repair work done.

**Gerald Weaber** thanked Council for honoring our late Borough Historian, Betty Hahle in June. Mrs. Hahle's daughters really appreciated the acknowledgement from the Borough.

**ZONING/ENVIRONMENTAL/BD OF HEALTH-Mr. Katella (No Report)**

**CORRESPONDENCE**

Mayor Martin announced that we received an invitation from the Township of Riverside to attend their Memorial Parade to acknowledge the tenth year anniversary of September 11<sup>th</sup>.

There being no further business to discuss, Mr. Brown moved that the meeting be adjourned. This was seconded by Ms. Cairns Wells, with all present voting in the affirmative.



Mary Longbottom, RMC  
Municipal Clerk

September 14, 2011

The regular meeting of the Riverton Borough Council was held on the above date.  
Mayor Martin presiding.

**PRESENT:** Council members Brown, Cairns Wells, Smyth, Myers and  
Solicitor Bruce M. Gunn

**ABSENT:** Council members Katella and Kinzler

The following statement was read by Mayor Martin:

Public notice of this meeting, pursuant to the Open Public Meetings Act, has been given  
by the Municipal Clerk in the following manner:

(a) Having written notification of all meetings to be held in 2011 published in the  
Burlington County Times on December 30, 2010

(b) Posting written notice on the official bulletin board on January 3, 2011

The minutes from August 10<sup>th</sup> were then presented. Mr. Brown moved that these  
minutes be approved as submitted. This was seconded by Ms. Cairns Wells. A poll vote  
was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth  
abstained, Mr. Kinzler absent and Mr. Myers aye.

**FINANCIAL ITEMS:**

**TREASURER'S, FINANCE REPORT & BILL LIST FOR APPROVAL**

Mr. Smyth moved that the attached reports for the month of August be approved  
as submitted. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr.  
Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent  
and Mr. Myers aye.

**RESOLUTION 53-11**

**A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAXES FOR  
BLOCK 201 LOT 4**

**((IN FULL IN RESOLUTION BOOK))**

The above Resolution was read by title only by Mr. Smyth, who moved for its  
adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr.  
Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent  
and Mr. Myers aye.

**RESOLUTION 54-11**

**A RESOLUTION AUTHORIZING THE RELEASE OF A MAINTENANCE  
BOND FOR RIVERTON SQUARE, BLOCKS 904, 905 AND 906**

**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Smyth, who moved for its  
adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr.  
Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent  
and Mr. Myers aye.

**ORDINANCE 2011-11**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 24 TO  
ADDRESS LIMITATIONS ON POLITICAL CONTRIBUTIONS BY MUNICIPAL  
VENDORS AND ESTABLISHING A PROCEDURE FOR THE AWARD OF  
PROFESSIONAL SERVICE CONTRACTS**

Ms. Cairns Wells stated that this proposed Ordinance was discussed last month  
when Council reviewed the Best Practices Checklist from the State. One of the questions

asked on the checklist was whether or not the Borough had a pay-to play Ordinance. Council concurred last month that it would be a good idea to put this legislation in place.

The above Ordinance was read for the first time by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye. It should be noted that second reading and a public hearing on this Ordinance is scheduled for October 12, 2011.

#### **RESOLUTION 55-11**

### **A RESOLUTION TO MEMORIALIZE THE DISCUSSION OF THE BEST PRACTICES WORKSHEETS AT THE AUGUST 10, 2011 BOROUGH COUNCIL MEETING**

#### **(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent, and Mr. Myers aye.

#### **MEETING OPEN TO THE PUBLIC**

**Don Deitz, 304 7<sup>th</sup> Street** understands that the grandstand is going to be replaced. Mr. Deitz gave Council a sentimental and nostalgic plea to keep the grandstand. Mr. Deitz believes the grandstand, which was built in 1931, is a Riverton landmark. Mr. Myers invited Mr. Deitz to attend the next Parks & Recreation Commission meeting on the 27<sup>th</sup> of September at 7:30 to review and discuss the grandstand issue. Mr. Myers commented that there will be representatives from the Historical Society and other interested residents and local architects who want to be involved regarding this issue. Mr. Myers stated that we would like to respect the history of the grandstand and whatever we put back should be as close to what is already there. Mr. Myers is of the opinion that the present structure will not be able to stay. Mayor Martin commented that he thought we started out saying that the grandstand had to come down. As we have looked at ideas, some of us have thought there might be a way of saving it. Mayor Martin stated that it hasn't been fully decided yet. Mayor Martin stressed the importance of how the grandstand will look. Mr. Myers stated that whatever the Borough decides to do, we want to do it right. Mr. Myers also stated that Mr. Deitz's input would be welcomed. **Gene Bandine, 522 Main Street** reported that the gas lamp in front of the law firm on Main Street is not working, even though PSE&G has been out twice. Mr. Bandine also reported that there is a tripping hazard at the sidewalk location of this gas light. Ms. Cairns Wells suggested that Mr. Bandine report these issues to our Public Works Manager.

#### **COMMITTEE REPORTS**

##### **PUBLIC SAFETY/CODE ENFORCEMENT/COURT-Mr. Brown**

Mr. Brown read an updated report for July (previous numbers were incorrect) that was submitted by Court Administrator, Jackie Gleason. Total receipts for July amounted to \$6,006.00. The total amount disbursed to Riverton amounted to \$3,728.22. For August, the total receipts amounted to \$4,702.00. The total amount disbursed to Riverton amounted to \$2,539.14.

Chief Shaw read the following police report for the month of August: Vehicle Mileage 1930, Juvenile Arrests 0, Adult Arrests 26 (Contempt 19, Possession of CDS 2,

Simple Assault 1, Shoplifting 1, Possession of Hypodermic Needles 1, Driving Under the Influence 1 and Disorderly House (Borough Ordinance 1), Motor Vehicle Accidents 2, Motor Vehicle Stops 56, Motor Vehicle Warnings 21, Motor Vehicle Summonses (Riverton) 35, Alarms 8, Assistance to Other Agencies 20, Animal Complaints 4, Fire Calls 8, EMS Calls 27, Unattended Deaths 1, Criminal Cases 35, Incidents 340, Domestic Violence 3, Thefts 3 (Bikes 1, Jewelry/Money 1, and Shoplifting 1), Burglaries 1 (Residence/Garage), Assaults 2, Sexual Assaults 0, Criminal Mischief 1, Robberies 0, Miscellaneous Calls 150, Total Calls Dispatched 490 and Quick Calls 150.

Mr. Brown reported that Patrolman Matt Kirk has been cleared by Borough Physicians to return to work on Sunday.

Regarding the recent hurricane, Mayor Martin commented that it would be beneficial if the Borough could be part of the reverse 9-1-1 system, which would be good in this type of situation. Ms. Cairns Wells responded that she was working on this issue. Mayor Martin would also like to have links, either through the County or State, placed on the Borough's website that would enable people to access storm tracking or emergency management bulletins. Council concurred with this suggestion. Mr. Smyth commented that the Borough was very lucky that there was no significant damage throughout the Borough. Mr. Smyth and Mayor Martin publicly acknowledged the work of our police, fire, emergency management officials and public works department for all of their efforts during and after the storm.

**RESOLUTION 56-11**  
**A RESOLUTION AUTHORIZING THE PUBLIC SALE OF ABANDONED**  
**BICYCLES BY THE RIVERTON POLICE DEPARTMENT**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Brown, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

Regarding Code Enforcement, Mr. Brown reported that the Code Enforcement Officer received complaints regarding overgrowth of weeds, debris, etc at specific properties on the 400 block of Main St. and the 600 block of Linden Ave. Violation notices have been sent out.

Mr. Brown reported that the Planning Board's site plan approving resolution for Milanese Pizza stated that deliveries were to be limited to twice a week between 9 and 11am so as not to conflict with the school and the day care traffic. Since the day care center is no longer located on Howard Street, the material condition of the resolution regarding the day care is relieved; therefore, Milanese Pizza has been notified that their deliveries must occur before school is dismissed. Complaints have also been received about delivery vehicles parking in the middle of Howard Street, blocking traffic and Mr. Rainer's driveway (515 Main Street). The Chief has spoken to the pizza owners about this issue and he has also issued a summons to one of the delivery trucking firms.

Mr. Brown reported that both Councilman Myers and Public Works Manager Reed have spoken to the owners of 108 7<sup>th</sup> Street about the deteriorating conditions of their property and that the owners have started to clean it up. Mr. Brown reported that our Construction Official informed him that that the owners still have not repaired the corners of the roof and soffits and that fines are accruing for this. Mr. Brown stated that the

owners need to be taken to court. Mr. Gunn will confer with the Construction Official on this issue before proceeding.

Mr. Brown reported that Mr. Wittmeyer lodged another complaint about 701 10<sup>th</sup> Street. His concern is that half of the stone wall with an archway (on the side of the house) on this property has fallen down. Mr. Brown notified the police to determine if there is any danger and to mark this area off with cones. Mr. Schaefer inspected it and notified the owners that they have a week to remedy this situation or a violation will be issued.

Mr. Gunn announced that we have a trial date of October 11 regarding the violations at 207 Bank Avenue. Council will be kept apprised of this situation.

**PLANNING/REDEVELOPMENT/SCHOOL- Ms. Cairns Wells**

**DISCUSSION: JOINT LAND USE BOARD-PLANNING BOARD SOLICITOR  
TOM COLEMAN PRESENT**

Mayor Martin stated that this issue is being considered as a cost savings measure and to save us from having to solicit volunteers to serve on both boards. Mayor Martin stated that the Planning Board has endorsed Borough Council's consideration of a Joint Land Use Board. Mayor Martin reported that this issue was also mentioned at a Zoning Board meeting and the Board members thought it would be a good idea. Mayor Martin stated that the Zoning Board members expressed an interest in continuing to serve on the proposed new board.

Mr. Coleman stated that the statute is clear in that any municipality having a population of fifteen thousand or less can combine both boards. Mr. Coleman explained that we would have to increase the regular Planning Board membership from seven (7) to nine (9) and that the existing Planning Board would be kept. Mr. Coleman stated that we could also have the flexibility to increase the present number of alternates from two (2) to four (4). Mr. Coleman explained that Chapter 22 of the Borough Code would have to be amended to permit these changes.

Mr. Coleman stressed the fact that the proposed new Board would be called the Planning Board and not a Joint Land Use Board. There is a statute for this (NJSA 40:55D-25c. (1), which gives the Planning Board the authority to take over the zoning functions in the town. Mr. Coleman stated that there is no legislation in the statutes that permits a Joint Land Use Board. Mr. Coleman also explained that under a combined board, the Mayor and the Council representative serving on this Board would have to recuse themselves from hearing any land use variance applications. The logic being that should an application be denied, the applicant could appeal the decision to Council.

In addition to amending Chapter 22 of the Borough Code, the Clerk asked if our other codes pertaining to Site Plan, Sub-Division and Zoning would have to be combined as one, or can they remain separate? Mr. Coleman responded that they would remain separate. A discussion ensued, with the consensus of Council being that we should move forward with combining both Boards. Mr. Coleman recommended introducing the required Ordinance at next month's meeting with the Board's consolidation being effective as of January 1, 2012. Mr. Coleman further recommended making the required appointments to the consolidated Board at Council's 2012 reorganization meeting. Council concurred with this recommendation. Solicitor Gunn will prepare the Ordinance for the October 12<sup>th</sup> meeting.

**STREETS/SEWER/SHARED SERVICES/ECONOMIC DEVELOPMENT-Mr. Smyth**

Mr. Smyth attended the Township of Riverside's memorial 9/11 parade with our Fire Department. At the end there was a memorial service, which was really well done.

The Clerk reported that the Governing Body needs to formally consider deactivating the sewer charges at 622 Thomas Avenue since the Borough had previously authorized the demolition of this house. After a short discussion, it was the consensus to agree to this.

**RESOLUTION 57-11  
TO DEACTIVATE SEWER CHARGES FOR 622 THOMAS AVENUE  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Myers. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

**SHADE TREE/PARK-Mr. Myers**

Mayor Martin announced that he was appointing Pat Bruner to the Shade Tree Commission. Ms. Bruner will be filling the unexpired term of Eric Becker, who recently resigned. Ms. Bruner's term will expire on December 31, 2011.

Mr. Myers reported that Phase One of the field improvements are now complete. Mr. Myers reported that both he and the Clerk have had some discussions with Mary Pat Robbie of the County regarding the left over monies (\$66,275.00) from Phase I of the grant process. Mr. Myers reported that he had sent a letter to Ms. Robbie in April asking to utilize this money for other work in the park, specifically to improve the basketball courts and tennis courts. Although we did not receive a written response, Mr. Myers reported that the verbal answer was that this money would not disappear. It would roll over into the Phase II project. Mr. Myers reported that the County suggested that the easiest and best way to handle this would be to list the proposed improvements to both the basketball and tennis courts as alternates when we go into Phase II (grandstand). The Clerk stressed the importance of having a paper trail that confirms Mr. Myers' conversation with the County on this issue. However, Mr. Myers reported that this was well documented in the County's meeting minutes.

Mr. Myers reported that Shade Tree donations have been received in the amount of \$1,750.00. Mr. Myers reported that the priority this fall will be to take care of 20 dead trees. All but five will be covered in the maintenance contract. Mr. Myers reported that the Hazardous Tree Survey will be completed by the end of this month by the Shade Tree Commission. This will generate next year's removals.

**ZONING/ENVIRONMENTAL/BD OF HEALTH-Mr. Katella-No Report  
CORRESPONDENCE**

Mayor Martin read a letter from Shop Rite requesting members from Council to take part in their Partners in Caring Day to help bag hunger on September 21, 2011. Both Council members Brown and Cairns Wells will participate.

The Clerk announced that the New Jersey State League of Municipalities Conference would be held on November 15-17, 2011 in Atlantic City. Ms. Cairns Wells asked that a registration form be submitted for her to attend.

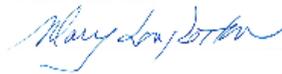
Mr. Smyth reported that he has received an inquiry from a company who are interested in making an offer to pre pay our lease for the cell tower located at the Wastewater Treatment Facility site in the Borough. Mr. Smyth reported that he will find out more information and get back to Council.

**SOLICITOR'S REVIEW OF A MEMORANDUM FROM THE BURLINGTON COUNTY PROSECUTOR ON THE USE OF ELECTRONIC COMMUNICATIONS AS POTENTIAL VIOLATION OF THE OPEN PUBLIC MEETINGS ACT**

As a result of a recent complaint filed against the Evesham Township Council members relative to the use of electronic communications in violation of the Open Public Meetings Act, the County Prosecutor has directed Evesham Township to develop written remedial guidelines so that these e-mail issues would not occur again.

The Prosecutor's office has provided all Burlington County Solicitor's with a copy of their opinion and requested that it be given and discussed with Governing Officials within their jurisdiction. Mr. Gunn provided an overview of this opinion and the County Prosecutor's recommendations. Mr. Gunn stressed the importance of understanding that when Council might communicate through an e-mail, which includes a quorum of the membership (4 members in the Borough's form of government) that constitutes conducting public business, thereby causing a potential violation of the Open Public Meetings Act. Mr. Gunn also cautioned against rolling e-mail conversations. Mr. Gunn suggested establishing guidelines for Borough Officials in the use of electronic communications in compliance with the Open Public Meetings Act. Council concurred with this suggestion. Mr. Gunn will prepare a Resolution regarding this issue for Council's consideration at the October 12<sup>th</sup> meeting. Ms. Cairns Wells suggested that after these guidelines are adopted by Council, that copies be given to all newly elected officials for their information. Council concurred with this suggestion.

There being no further business to discuss, Mr. Brown moved that the meeting be adjourned. This was seconded by Mr. Smyth, with all present voting in the affirmative.



Mary Longbottom, RMC  
Municipal Clerk

October 12, 2011

The regular meeting of the Riverton Borough Council was held on the above date. Mayor Martin presiding.

**PRESENT:** Council members Brown, Cairns Wells, Kinzler, Myers and Solicitor Bruce M. Gunn

**ABSENT:** Council members Katella and Smyth

The following statement was read by Mayor Martin:

Public notice of this meeting, pursuant to the Open Public Meetings Act, has been given by the Municipal Clerk in the following manner:

- (a) Having written notification of all meetings to be held in 2011 published in the Burlington County Times on December 30, 2010
- (b) Posting written notice on the official bulletin board on January 3, 2011

The minutes from September 14 were then presented. Mr. Brown moved that these minutes be approved as submitted. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth absent, Mr. Kinzler aye and Mr. Myers aye.

#### **TREE REMOVED BY COUNTY AT THE BROAD AND MAIN INTERSECTION**

Barry Emens, Shade Tree Commission Chair, reported that some of the Crossing Guards at the Broad & Main location complained that a couple of people ran red lights at this intersection because the limbs from the tree in question were possibly blocking their sight. The Chief called the County to ask them to come out to trim the tree. He was also concerned that there was a safety issue because many school children cross at this location. The County came down and made a decision to remove the tree. Mr. Emens reported that this tree had been donated a number of years ago by a local businessman. Mr. Emens reported that even though this tree was on a County road, the Shade Tree Commission had trimmed it in the past. Mr. Emens was of the opinion that this tree could have been trimmed to correct the problem and that it did not have to be removed.

Mr. Emens reported that he sent an e-mail to the County Highway Department about two weeks ago asking why the tree wasn't just trimmed and also asking who made the decision to remove it. To date, Mr. Emens has not received a response back. After a short discussion, it was the consensus of Council that a letter should be sent to the County about how this issue was handled and the fact that they should have conferred with our Shade Tree Commission before the tree was removed. It was also the consensus that Mr. Emens and the Clerk draft this letter for the Mayor to sign.

#### **REVIEW OF LETTER FROM THE JGSC GROUP ON BEHALF OF THE PALMYRA BUSINESS DISTRICT**

Joe Getz, a representative from the JGSC Group stated that his firm serves as the executive director of the Palmyra Business District (BID) and was authorized to send this letter. Mr. Getz explained that Riverton, as well as other river towns, is being asked to participate in a regional consumer survey, which would enable the BID to identify ways to make the river towns more economically sustainable and appealing. Mr. Getz reported that BID is seeking funding from the Burlington County Bridge Commission to underwrite the cost of this survey. A discussion ensued with the consensus being that the Borough would be willing to participate conditioned on the fact that there would be no financial commitment on the Borough's part for this project.

**RESOLUTION 58-11**  
**RESOLUTION IN SUPPORT OF A REGIONAL CONSUMER SURVEY BY THE**  
**PALMYRA BUSINESS IMPROVEMENT DISTRICT**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth absent, Mr. Kinzler aye and Mr. Myers aye.

**REPORT FROM THE RIVERTON IMPROVEMENT ASSOCIATION (RIA)**

Ann Matlack, a member of the RIA reported that the Association's next project would be the restoration of the Riverton Eagle, which is chipping and peeling badly. Ms. Matlack provided Council with an overview of the artist selection process, the budget/funding aspect and the display and relocation of the eagle. Council expressed their appreciation to the RIA for taking on this project. Ms. Matlack also reported that painter, Pete Gray, touched up the gazebo in the plaza at no cost to the Borough.

**FINANCIAL/ADMINISTRATIVE ITEMS: Mr. Kinzler & Ms. Cairns Wells**  
**TREASURER'S, FINANCE REPORT & BILL LIST FOR APPROVAL**

Mr. Kinzler moved that the attached reports for the month of September be approved as submitted. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth absent, Mr. Kinzler aye and Mr. Myers aye.

**2011 BUDGET UPDATE AND 2012 BUDGET PROCESS REVIEW**

Mr. Kinzler reported that overall, from a cash flow standpoint, we look good. Mr. Kinzler cautioned that we have three more months of spending.

Mr. Kinzler reported that the legal line item is under pressure, the engineering line item looks okay but some funds will need to be expended for the roads program, and as of the end of September, the police overtime line item is at the budgeted amount, but we still need to get through October, November & December which will put us over the budgeted amount. The leaf disposal line item has not been spent but will be by the end of the year. The electricity line item needs to be addressed with PSE&G because we still have questions about how we are billed and credited to our accounts. The gasoline line item looks good, but Council acknowledged that Cinnaminson is behind billing us. Mr. Kinzler cautioned that overtime costs at the Wastewater Treatment Facility (WWT) need to be monitored. Ms. Cairns Wells commented that she thought there would be some money that had been budgeted for both the Planning & Zoning Boards that might not be needed. These monies from these line items could then be transferred (starting in November) to help those line items in need of funds. Mr. Kinzler raised concern over the line item for the WWT's professional service costs. It was the consensus that we obtain quotes from other companies for next year to determine if the costs can be reduced.

Mr. Kinzler distributed the proposed 2012 budget timeframe for Council's information and review. The Finance Committee is scheduled to meet with Department Heads before the end of this year to review their 2012 budget requests.

**ORDINANCE 2011-11**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 24 TO**  
**ADDRESS LIMITATIONS ON POLITICAL CONTRIBUTIONS BY MUNICIPAL**  
**VENDORS AND ESTABLISHING A PROCEDURE FOR THE AWARD OF**  
**PROFESSIONAL SERVICE CONTRACTS**  
**(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this ordinance. There being no public comment, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth absent, Mr. Kinzler aye and Mr. Myers aye.

**RESOLUTION 59-2011**  
**A RESOLUTION TO ESTABLISH GUIDELINES FOR BOROUGH OFFICIALS**  
**IN THE USE OF ELECTRONIC COMMUNICATIONS IN COMPLIANCE WITH**  
**THE OPEN PUBLIC MEETINGS ACT**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Myers. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth absent, Mr. Kinzler aye and Mr. Myers aye.

**RESOLUTION 60-2011**  
**A RESOLUTION AUTHORIZING THE BOROUGH'S ORIGINAL LINEN TAX**  
**MAPS TO BE TURNED OVER TO LAND ENGINEERING, THE BOROUGH'S**  
**STREETS AND ROADS ENGINEER**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth absent, Mr. Kinzler aye and Mr. Myers aye.

**RESOLUTION 61-2011**  
**A RESOLUTION AUTHORIZING THE RELEASE OF THE LETTER OF**  
**CREDIT FOR THE U.S. POST OFFICE PROJECT, BLOCK 904, LOS 4, 4.01,**  
**4.02 AND 4.03 AND ACCEPTING A TWO-YEAR MAINTENANCE BOND**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth absent. Mr. Kinzler aye and Mr. Myers aye.

**MEETING OPEN TO THE PUBLIC**-There was no public comment at this time

**COMMITTEE REPORTS**

**PUBLIC SAFETY/CODE ENFORCEMENT/COURT**-Mr. Brown

Chief Shaw read the following report for the month of September, 2011. Vehicle Mileage 1807, Juvenile Arrests 1, Adult Arrests 10 (Contempt 4, Possession of CDS 2, Simple Assault 1, Drug Paraphernalia 1, Harassment 1, & Theft by Deception 1), Motor Vehicle Accidents 4, Motor Vehicle Stops 68, Motor Vehicle Warnings 26, Motor

Vehicle Summonses (Riverton) 42, Alarms 9, Assistance to Other Agencies 24, Animal Complaints 6, Fire Calls 3, EMS Calls 26, Unattended Deaths 0, Criminal Cases 17, Incidents 254, Domestic 2, Thefts 3 (Bikes 2 and Theft by Deception 1), Burglaries 0, Assaults 1, Sexual Assaults 0, Criminal Mischief 1, Robberies 0, Miscellaneous Calls 137, Total Calls Dispatched 391, Incidents 254 and Quick Calls 137.

Mr. Brown read a report for the month of September that was submitted by Deputy Fire Chief, Robert Yearly. Fire Calls for Month 13, Drills 8, Calls in Town 8 and Calls Out of Town 5. Mr. Brown announced that a firemen's banquet was recently held at the Café Madison as a way to thank all the volunteers for everything they do.

Mr. Brown read a report for the month of September that was submitted by Court Administrator, Jackie Gleason. The total receipts for the month amounted to \$6,811.00. The total amount disbursed to Riverton amounted to \$4,205.18. Mr. Brown announced that Riverton court dates for 2012 will change and that the days and times would be placed on the Borough's website.

Mr. Brown reported that the Chief has completed evaluation reports on all the officers. Mr. Brown commented that this is the first time this has been done. Mr. Brown reported that Palmyra Borough will not be holding the annual Halloween parade this year. Mr. Brown reported that the bike sale will be scheduled soon. It will be advertised in the newspaper and on the Borough's website. Mr. Brown reported that new striping at Broad & Main Streets will be completed as soon as possible.

Mr. Brown announced that he has sent another letter to the Riverton Police Association to set up scheduled meeting days and times to commence the negotiation process for the new contract. The present contract expires at this end of this year. Mr. Kinzler asked if salaries would be frozen if a new contract is not in place by January 1, 2012. Ms. Cairns Wells stated that while she has not conferred with an attorney, she has spoken to other people who deal with public employee contracts, and the rule is that there are no increases, the contract stays the same. Mr. Gunn commented that there is no question that the old contract still controls, everything is frozen. Mr. Kinzler stated that while he agrees with this, he believes the last time we were negotiating, this was not the case. Mr. Brown and Ms. Cairns Wells emphatically stated that this would not happen this time around. Chief Shaw asked if just the salaries would be frozen. Ms. Cairns Wells and Mr. Brown stated that everything would be frozen if a new contract is not in place by January 1, 2012.

Mr. Brown reported that the Chief and the Public Safety Committee were approached by Palmyra's Police Chief to set up a meeting with each municipalities Public Safety Committee to discuss a possible police merger. A preliminary meeting was recently held with Mr. Brown and Mr. Myers attending from Council, along with Chief Shaw and Chief Pearlman of Palmyra. No specific cost savings were presented at that time. Mr. Brown stated that both Riverton and Palmyra's Public Safety Committees would be meeting on October 27<sup>th</sup> at the Riverton Fire House. Any information gathered will be brought back to Council for consideration and review.

Regarding Code Enforcement, Mr. Brown reported that our Code Enforcement Officer sent a violation notice to a resident on the 200 block of Bank Avenue pertaining to their cats being unlicensed and running at large. A violation notice was sent to a resident on the 500 block of Cinnaminson Street pertaining to overgrowth and debris issues. The County Board of Health will be issuing a summons, through the Police

Department, to tenants living at 403 Thomas Avenue pertaining to rat and roach and unsanitary conditions.

Regarding 108 7<sup>th</sup> Street, Mr. Brown reported that our Solicitor has filed a complaint and order to show cause in Superior Court directing the owner to appear in Court on November 4 to explain why he has not complied with the Construction Official's prior order. Council will be kept apprised of this situation.

Regarding 207 Bank Avenue, Mr. Brown reported that a trial date is scheduled in Superior Court for November 14. Council will be kept apprised of this situation.

#### **RESOLUTION 62-11**

#### **A RESOLUTION AUTHORIZING A CURFEW FOR OCTOBER 28, OCTOBER 29, OCTOBER 30 AND OCTOBER 31, 2011 IN THE BOROUGH OF RIVERTON (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Brown, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth absent, Mr. Kinzler aye and Mr. Myers aye

#### **ORDINANCE 2011-12**

#### **AN ORDINANCE TO DISSOLVE THE RIVERTON ZONING BOARD OF ADJUSTMENT AND TO INCREASE THE MEMBERSHIP OF THE BOROUGH PLANNING BOARD TO PERMIT IT TO EXERCISE ALL LAND USE POWERS AS PERMITTED BY THE MUNICIPAL LAND USE LAW (N.J.S.A.40:55D1-ET. SEQ.), INCLUDING THOSE PREVIOUSLY EXERCISED BY THE ZONING BOARD OF ADJUSTMENT**

The above Ordinance was read by title only for the first time by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms Cairns Wells aye, Mr. Smyth absent, Mr. Kinzler aye, and Mr. Myers aye. Second reading and a public hearing on this Ordinance is scheduled for November 9.

#### **STREETS/SEWER/ECON. DEV/SHARED SERVICES/RECYCLING-Mr. Smyth**

Ms. Cairns Wells announced that the following bids were received, opened and publicly read on October 5, 2011 for the 2011 various road improvements:

<b>Arawak Paving Company of Hammonton, New Jersey</b>	<b>\$161,600.00</b>
<b>SJA Construction Co, Inc. of Marlton, NJ</b>	<b>\$171,365.00</b>
<b>American Asphalt Co., Inc. of W. Collingswood Heights, NJ</b>	<b>\$179,770.00</b>
<b>Kehoe Construction, Inc. of Bridgeport, Pa.</b>	<b>\$206,999.99</b>

Mr. Gunn reported that he had reviewed the two lowest bids and that Arawak Paving failed to supply their financial statement, which is a non-waivable defect. Mr. Gunn also reported that the second lowest bidder, SJA Construction Co. Inc. failed to list any information relative to the equipment and experience statement as to a sub-contractor, which may also be defective. After a short discussion, it was the consensus of Council to reject all of these bids and authorize Land Engineering to re-advertise immediately.

**RESOLUTION 63-2011**  
**A RESOLUTION REJECTING THE BIDS FOR VARIOUS ROADWAY**  
**IMPROVEMENTS IN THE BOROUGH OF RIVERTON, AND AUTHORIZING**  
**THE BOROUGH STREETS AND ROADS ENGINEER TO ADVERTISE FOR**  
**NEW BIDS FOR THE PROJECT**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth absent, Mr. Kinzler aye and Mr. Myers aye.

**SHADE TREE/PARK-Mr. Myers**

Mr. Myers reported that the last meeting held to discuss the grandstand issue was well attended by members of the Riverton Historical Society. Mr. Myers reported that the Historical Society's position is that they have determined that the grandstand structure is not historically significant. The Historical Society does not have a position that they want to see it protected.

Mr. Myers reported that Hank Croft, Joe Creighton, Jim Quinn, other members of the public and himself have been working on the grandstand issue and have come up with two scenarios for Council's consideration. One scenario would be to keep and repair the existing structure. If this is done, we would need to put in another building or shed elsewhere in the park for storage. New bathrooms would also be an important part of any reconstruction or rebuilding of the grandstand. The other scenario would be to take down the existing structure, but what do we put in its place? Mr. Myers questioned whether we would want to put back what is essentially obsolete already. Mr. Myers stated that if the Borough deems that this structure is worthy of being demolished, we would like to rebuild something that is near and dear to everybody's heart. Mr. Myers stated that the committee came up with a proposed plan whereby a new building would be placed in the same type of footprint as the grandstand that is already there, but would not have the seating above on the roof. Mr. Myers provided Council with a suggested overview of what a new grandstand might look like. Mr. Myers stated that, to date, no real drawings have been done. Mr. Myers stated that the snack bar would also be eliminated because the committee does not feel that the County grant money should be used for this. Public Works Manager, Scott Reed, commented that if Council decides to keep the existing structure, a structural engineer needs to make a determination if can keep the grandstand and that it is safe.

Mr. Myers stated that it is estimated that it could cost between 50% to 100% more to keep the existing grandstand. Mr. Kinzler raised concern about these costs and reminded Council that we have received a \$250,000.00 grant from the County for this proposed project. Mr. Kinzler is of the opinion that we should not consider spending anymore.

Mr. Myers asked Council for guidance that the committee is going in the right direction. A discussion ensued with the consensus being that it wouldn't be economically viable to fix up what is already there. Ms. Cairns Wells commented that she liked the direction the committee was going in terms of the proposed design of a new grandstand. She would like us to respect and echo what is already there pertaining to roof lines, architectural interest and details, etc. Mr. Myers stated that he would go back to his

committee to review what the consensus of Council is with them. Mr. Myers hopes to have drawings available for Council's review and consideration before the end of this year.

**OLD AND NEW BUSINESS**

Mayor Martin asked if the Christmas Tree lighting ceremony would be held on the first or second Friday in December. Mr. Myers responded that this will be confirmed by next month's meeting.

Mayor Martin asked Council to decide when to hold the holiday luncheon this year. After some discussion, it was the consensus that the luncheon be held on Thursday, December 22 from noon to 2:00pm in Borough Hall.

There being no further business to discuss, Mr. Brown moved that the meeting be adjourned. This was seconded by Ms. Cairns Wells, with all present voting in the affirmative.

Mary Longbottom, RMC  
Municipal Clerk

November 9, 2011

The regular meeting of the Riverton Borough Council was held on the above date. Mayor Martin presiding.

**PRESENT:** Council members Brown, Cairns Wells, Smyth, Myers and Solicitor Bruce M. Gunn

**ABSENT:** Council members Katella and Kinzler

The following statement was read by Mayor Martin:

Public notice of this meeting, pursuant to the Open Public Meetings Act, has been given by the Municipal Clerk in the following manner:

- (a) Having written notification of all meetings to be held in 2011 published in the Burlington County Times on December 30, 2010
- (b) Posting written notice on the official bulletin board on January 3, 2011

The minutes from October 12 were then presented. Mr. Brown moved that these minutes be approved as submitted. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth abstained, Mr. Kinzler absent and Mr. Myers aye.

#### **FREEHOLDER LETTER SENT TO ALL RESIDENTS**

Mr. Smyth stated that all of our residents should have received a letter from Freeholder Garganio explaining that the County has awarded local municipalities grant dollars (Riverton was included) for local recreational projects and that these monies will be ongoing. Another round of grants will be available in the spring. Mr. Smyth reported that the Freeholders are asking our residents to complete an online Recreational Grant Survey.

#### **DISCUSSION: PROPOSED GRANDSTAND PROJECT (Joe Creighton and Jim Quinn present)**

Mr. Myers distributed printouts (one to reconstruct the existing building and the other for a new one story building) for Council to review. Both Mr. Myers and Mr. Quinn reported that a local structural engineer was asked to take a look at the existing grandstand. We learned that the building is not worth preserving. There are serious cracks all the way through the structure and it continues to deteriorate.

Mr. Myers reported that the printout for a new structure shows that it would be somewhat near the footprint of the old grandstand. The rough numbers for construction costs are close to \$300,000.00. This would include all paved areas being done in pavers and perhaps brick veneer. Mr. Myers asked for Council's input.

Mr. Smyth asked if there was an artist's rendition available. He wanted to know if the proposed building looks historic. Mr. Myers stated that we are not even at that stage yet. Mr. Myers reported that the committee did talk about a traditional finish and brick would do that. Ms. Cairns Wells asked if this proposal would call for a one story building with no bleachers on the top. Mr. Myers responded that was correct. Ms. Cairns Wells asked if we are talking about a flat top building. The response was a single sloped roof, rather than a peaked one, reminiscent of the one that is already there. Mr. Myers stated we would have to discuss inclusion of architectural details during the design process. Ms. Cairns Wells commented that she would like to see pavers that allow grass to grow through them. We wouldn't have to worry about run-off issues then. Mr. Smyth asked what the timeframe would be to get the project started. Mr. Myers stated that they would

like to go out to bid early next year. Mr. Myers asked that Council submit any comments to the committee over the next couple of weeks. Mr. Creighton commented that the committee tried to prioritize some items such as nice clean bathrooms and storage. The Committee had considered a snack bar, but decided against that. We would like to have more of a multi-use building as opposed to a single use facility that we have now.

Mr. Gunn informed Council that the State Historic Preservation Office will need to be notified of this project because we are on the historic register. Once that is done, they will usually notify our local Historical Society for any comments.

#### **ANNOUNCEMENTS**

Mr. Myers announced that the Tree Lighting ceremony will be held on Friday, December 2<sup>nd</sup> at 7:00pm at the plaza.

Mayor Martin announced that the Library's candlelight house tour will take place on Saturday, December 3<sup>rd</sup>. Ticket information can be obtained on the Borough's website and at the library.

Mr. Smyth announced that members of the VFW's honor guard will be at our War Memorial at 9:00am on Friday, November 11<sup>th</sup> in honor of Veterans Day. A ceremony acknowledging the placement of additional names on the War Memorial plaque will take place at that time.

**FINANCIAL ITEMS:** Ms. Cairns Wells and Mr. Smyth

#### **TREASURER'S FINANCE REPORT & BILL LIST FOR APPROVAL**

Ms. Cairns Wells moved that the attached reports for the month of October be approved as submitted. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

#### **RESOLUTION 64-2011**

#### **A RESOLUTION AUTHORIZING AFLAC OF HAMMONTON, NEW JERSEY TO SERVE AS THE ADMINISTRATOR OF THE BOROUGH'S FLEX SPENDING ACCOUNT (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

#### **RESOLUTION 65-2011**

#### **A RESOLUTION AUTHORIZING THE PURCHASE AND PAYMENT OF A SALT SPREADER FOR THE PUBLIC WORKS DEPARTMENT IN THE AMOUNT OF \$8,262.00 FROM DEJANA TRUCKING AND UTILITY EQUIPMENT COMPANY OF CINNAMINSON, NEW JERSEY (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

#### **CELL TOWER LEASE PURCHASE PROPOSAL**

Mr. Smyth reported that he received (and distributed to Council) a proposed option Agreement-lease Easement Purchase from Landmark Dividend, LLC regarding

the cell tower located at the Wastewater Treatment facility in the Borough. Mr. Smyth suggested that this issue be deferred to the Finance Committee for review and that Council might consider this proposal during the budget process next year. Council concurred with this suggestion.

#### **MEETING OPEN TO THE PUBLIC**

**Maiga Milbourne** from Yogawood reported that they would like to open the studio in conjunction with the tree lighting ceremony for a local business bazaar. It was the consensus of Council to agree to this suggestion.

**Joe Rainer** expressed his ongoing concerns regarding Milanese Pizza such as parking issues, the blocking of the street for deliveries, the usage of his parking lot, etc. Mr. Brown reported that both he and the Police Chief met with Mr. Rainer about his concerns and will continue to do this. Mr. Rainer stated that he might have to place a chain across his property at 515 Howard Street to prevent cars from using his lot as a turnaround.

Mr. Brown reported that he has also spoken to the owners of Milanese Pizza about all of these issues. Mr. Brown also reported that the owners have attempted to control the times of the food deliveries during the designated hours (9am and 11 am), but this is not really feasible and is still an ongoing concern. Mr. Brown also suggested permitting deliveries from 1:00pm and 2:30pm, while the children are still in school. Mr. Rainer complained that not only do the delivery trucks park illegally, so do the owners of the pizza shop. A discussion then ensued.

Ms. Cairns Wells felt that we need to continue meeting with both the Chief and the owners to right the situation as best we can. Mr. Brown concurred with this. Mr. Cairns Wells acknowledged that Mr. Rainer needs to do what he has to do to limit access to his parking lot. Discussion resumed. Ms. Cairns Wells stated that it is her understanding that Mr. Rainer's complaint about the deliveries is when they are parked in the middle of the street; however, if they are over to the side of the curb where the Chief has told these drivers to be, then there is no complaint because it is not impeding Mr. Rainer's property. Ms. Cairns Wells stressed the fact that the parking in the middle of the street is a safety issue on Howard Street for everybody. She asked the Chief to make this issue a priority with his department and either get them to move or issue a ticket. The Chief acknowledged that he would take care of this. Mr. Brown commented that Mr. Rainer needs to call the police when he sees infractions and not try to resolve them himself.

**Gene Bandine** was of the opinion that this area should be considered a school zone area. It is a hazardous location. It should be a 15mpr speed zone.

#### **COMMITTEE REPORTS**

##### **PUBLIC SAFETY/CODE ENFORCEMENT/COURT-Mr. Brown**

Chief Shaw read the following report for the month of October. Vehicle Mileage 2258, Juvenile Arrests 1, Adult Arrests 14 (Contempt 12, Harassment 1, and Criminal Mischief 1), Motor Vehicle Accidents 3, Motor Vehicle Stops 119, Motor Vehicle Warnings 31, Motor Vehicle Summonses 88 (All Riverton) Alarms 10, Assistance to Other Agencies 31, Animal Complaints 8, Fire Calls 7, EMS Calls 27, Unattended Deaths 1, Criminal Cases 26, Incidents 286, Domestic 2, Thefts 3 (Theft of prescription drugs 1, Theft of documents 1, Theft of money and jewelry 1), Burglaries 2 (Residence 1 and Vehicle 1), Assaults 1, Sexual Assaults 0, Criminal Mischief 5, Robberies 0, Miscellaneous Calls 259, Total Calls Dispatched 545, Incidents 286 and Quick Calls 259)

Chief Shaw reported that the bike auction will take place on November 12<sup>th</sup> and that there were no issues on mischief night.

#### **REVIEW OF LETTER FROM FRANK URBANO REGARDING THE INTERSECTION OF 4<sup>TH</sup> & ELM STREETS**

Mr. Brown reviewed this letter (which was also sent to the Mayor of Palmyra Borough) with Council. Mr. Brown also reviewed Chief Shaw's response that acknowledges the dangerousness of this intersection and the need to address it as expeditiously as possible. Mr. Brown reported that we are in the process of looking into various options to remedy the problems, and since the area in question also incorporates Palmyra Borough, we would be working with Palmyra's Police Chief and their governing body. Mr. Brown reported that he would get back to Mr. Urbano and that Council would be kept apprised of this issue.

#### **UPDATE ON STARTING POLICE CONTRACT NEGOTIATIONS**

Mr. Brown reported that the first meeting to negotiate the new police contract has been scheduled for November 18<sup>th</sup>.

#### **UPDATE ON POSSIBLE POLICE DEPARTMENT MERGER WITH PALMYRA**

Mr. Brown reported that Ms. Cairns Wells, Mr. Myers, Chief Shaw and himself met with Palmyra's Chief, Mayor and Public Safety Committee to preliminarily discuss this issue. Mr. Brown reported that if a merger were to take place, an offer of Lieutenant would be made to our Police Chief and he is agreeable to that. Although no concrete financial figures were presented, Palmyra believes there would be a reasonable cost savings by a merger. Mr. Brown believes that all of our officers would be accepted under the provisions of Palmyra's contract and that they would retain their seniority. Special officers would also be accepted as well as the secretary. Riverton would maintain the same vehicles and uniforms so no additional costs would be incurred and this would allow Riverton to maintain its identity. Riverton would close our police headquarters and this could result in a cost savings as far as the Borough's lease payments to the Fire Company are concerned. We would no longer need to be a part of the Cinnaminson court system because Palmyra has their own. Overtime would be reduced and there would be a joint Public Safety Committee. Operational standards would be improved with street supervisors on every shift, plus a detective bureau which would take over investigations and arrests.

Mr. Smyth referenced that the previous shared services feasibility study looked at a possible merger between the Cinnaminson, Riverton and Palmyra Police Departments and what the savings would be. Mr. Smyth stated that the end result of that study was no action because they couldn't find substantial savings. Mr. Smyth asked if Palmyra approached us. Mr. Brown responded yes. Mr. Smyth raised concern that Cinnaminson is not involved.

Mr. Brown stated that we are strictly in a preliminary stage with this issue. Mr. Brown reported that the Department of Community Affairs (DCA) will offer a free, in depth study of both Police Departments. They are currently involved in the study of the Pennsgrove and Carney's Point Police Departments. There is no cost for this study but in order to initiate it, they require a letter from each municipality. The study usually takes between 30 to 45 days to complete. When completed, they get back to us with a power point presentation.

Ms. Cairns Wells stated that the last feasibility study was less than informative. It was a study that basically asked the police officers in each department if they wanted to merge. They all said no because their departments were all different. That study was also severely lacking in any financial data. The difference now is that it's just between Palmyra and Riverton. Mr. Smyth believes that if we want to re-visit this, it should include all three towns.

Ms. Cairns Wells stated that at the preliminary meeting with Palmyra, it was decided that we would like to take it a step further, get the DCA involved and give us a perspective of just these two towns. Mayor Martin asked if Cinnaminson was going to be included. Mr. Brown responded that when we were approached by Palmyra about a possible merger, they did not include Cinnaminson. He believes that including Cinnaminson should be initiated by Palmyra. Mr. Smyth stated that if it is determined that we should merge; it should go out to referendum for the people to decide. Mr. Brown responded that it definitely would. Mr. Brown stated that are trying to save some money in the police department. Mayor Martin suggested that we go to Cinnaminson to ask them if they are interested.

Mr. Myers stated that if we look at the day to day operations of the Police Department, that Riverton and Palmyra already work closely together. Mr. Myers agreed that the previous police merger feasibility study was lacking in financial information. It was a cultural study but not a detailed financial analysis. Mr. Myers was of the opinion that the average Riverton citizen would not notice a change in service if a police merger with Palmyra were to take place. Mr. Myers believes that service would improve. Mr. Myers also commended our Chief for the job he does. Mr. Myers stated that this department cannot continue to function in the size that it is and the Borough of Riverton cannot continue to fund it any larger. Right now this Department is carried on John Shaw's shoulders. Mr. Myers stated that there is this thought in town that we have this community Police Department. What we've got is Chief Shaw. We cannot continue to go on with the department as it is. Mr. Brown agreed that we cannot continue budget wise or personnel wise with the Department. Ms. Cairns Wells concurred with Mr. Myers' observations.

Mr. Brown reiterated that there has been no commitment of any kind with Palmyra, just preliminary discussions. Mr. Myers stated that we have an offer from the State to do a real analysis of both Police Departments, done by retired Chief's of Police.

Mayor Martin and Mr. Smyth reiterated their positions that Cinnaminson should be included in the study. Ms. Cairns Wells responded that they would talk to Palmyra about this. Ms. Cairns Wells stated that it was Palmyra's initial request to consider a merger between Riverton and Palmyra. They didn't say anything about including Cinnaminson. Mr. Brown reiterated the fact that there would be a referendum and that the people of Riverton would decide whether any merger takes place or not. Mr. Brown and Mr. Myers reported that they thought Palmyra's Council would probably make the decision on their own and not go to referendum in their municipality. The issue of a possible police merger with Palmyra was then taken under advisement by Council.

**STREETS/SEWER/ECON. DEV/SHARED SERVICES/RECYCLING-** Mr. Smyth  
**REVIEW OF 2<sup>ND</sup> ROUND OF BIDS FOR THE VARIOUS ROAD  
IMPROVEMENTS PROJECT**

Mr. Smyth announced that three bids were received, opened and publicly read on October 28<sup>th</sup> at 10:30am. They are as follows:

<b>Arawak Paving Company</b>	<b>\$154,900.00</b>
<b>SJA Construction Co., Inc.</b>	<b>\$163,085.00</b>
<b>American Asphalt Company</b>	<b>\$178,125.00</b>

Mr. Smyth reported that the Engineer has recommended that Arawak Paving Company of Hammonton, New Jersey be awarded the Various Roadway Improvements Contract. Mr. Gunn reported that he has reviewed Arawak's bid package and everything is in order.

**RESOLUTION 66-2011**

**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO ARAWAK PAVING COMPANY, INC. FOR VARIOUS ROADWAY IMPROVEMENTS IN THE BOROUGH OF RIVERTON IN THE AMOUNT OF \$154,900.00  
(IN FULL IN RESOLUTION BOOK)**

The above resolution was read by title only by Mr. Smyth, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

**PLANNING, REDEVELOPMENT/SCHOOL**-Ms. Cairns Wells

**ORDINANCE 2011-12**

**AN ORDINANCE TO DISSOLVE THE RIVERTON ZONING BOARD OF ADJUSTMENT AND TO INCREASE THE MEMBERSHIP OF THE BOROUGH PLANNING BOARD TO PERMIT IT TO EXERCISE ALL LAND USE POWERS AS PERMITTED BY THE MUNICIPAL LAND USE LAW (N.J.S.A.40:55D-1 ET. SEQ.), INCLUDING THOSE PREVIOUSLY EXERCISED BY THE ZONING BOARD OF ADJUSTMENT  
(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Smyth. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. **Joseph Threston**, a member of the Planning Board stated that he thought this decision was the right way to go. There being no further comment, Mayor Martin, closed this portion of the meeting to the public. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

Ms. Cairns Wells reported that information pertaining to our 2012 Requests for Proposals for Professional Service Contracts will be placed on the website shortly. We will also place a notice in the Burlington County Times to inform people to check our website for this information.

Ms. Cairns Wells reported that she took a tour of the creek with members of the Pompeston Watershed Creek Association.

Ms. Cairns Wells announced that the Borough now has a Facebook page and asked the public to check it out.

**ZONING/ENVIRONMENTAL/BD OF HEALTH-Mr. Katella-No report**  
**OLD BUSINESS-None**  
**NEW BUSINESS**

**RESOLUTION 67-2011**

**A RESOLUTION APPROVING THE FOLLOWING RAFFLE AND BINGO  
APPLICATIONS FOR THE PORCH CLUB: RA 1, RA 2, RA 3 AND RA 4 AND  
BA 1 AND BA 2**

**(IN FULL IN RESOLUTION BOOK)**

The above resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

**CORRESPONDENCE-None**

There being no further business to discuss, Mr. Brown moved that the meeting be adjourned. This was seconded by Mr. Smyth, with all present voting in the affirmative.



Mary Longbottom, RMC  
Municipal Clerk

December 14, 2011

The regular meeting of the Riverton Borough Council was held on the above date.  
Mayor Martin presiding.

**PRESENT:** Council members Brown, Cairns Wells, Smyth, Kinzler, Myers and Solicitor  
Bruce M. Gunn

**ABSENT:** Council member Katella

The following statement was read by Mayor Martin:

Public notice of this meeting, pursuant to the Open Public Meetings Notice Act, has been  
given by the Municipal Clerk in the following manner:

- (a) Having written notification of all meetings to be held in 2011 published in the  
Burlington County Times on December 30, 2010
- (b) Posting written notice on the official bulletin board on January 3, 2011

**ANNOUNCEMENT OF JOSEPH KATELLA'S RESIGNATION FROM  
BOROUGH COUNCIL**

Mayor Martin read a letter of resignation from Joseph Katella dated December 13,  
2011. Mr. Katella cited personal commitments as the reason for his resignation. The  
Clerk reported that proper notification of Mr. Katella's resignation has been given to the  
Riverton Republican Chair, the Democratic County Chair and to the County Clerk.

The minutes from November 9 were then presented. Mr. Brown moved that these  
minutes be approved as submitted. This was seconded by Ms. Cairns Wells. A poll vote  
was then taken. Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler  
abstained and Mr. Myers aye.

**UPDATE FROM REPRESENTATIVES OF THE RIVERTON IMPROVEMENT  
ASSOCIATION (RIA) ON THE RESTORATION AND RELOCATION OF THE  
EAGLE**

**Anne Matlack** reviewed the design suggestions (a copy is on file with the Municipal  
Clerk) and plans for the eagle. **Larry Davis** was introduced as the water color artist who  
will be doing the re-painting of the eagle.

Ms. Matlack reported that Jim Brandenberger has indicated that the eagle can be  
placed at the brick plaza corner in front of the CVS building at the Shoppes of Riverton.  
While other locations were considered, the RIA felt that this one would be the most  
prominent for the placement of the eagle.

Mr. Gunn stated that we need to make sure there are no proprietary issues  
pertaining to the eagle. Ms. Matlack responded that the original artist who did the  
painting is out of the area. The RIA also conferred with Burlington County personnel  
who managed the original eagle to find out if we could get in touch with that artist and  
were told they didn't think so. The RIA also did a quick Google search on the artist and  
couldn't come up with anything. Ms. Matlack thinks the eagle is ours. Mr. Gunn thought  
it was important for the RIA to document this information for their records.

Ms. Cairns Wells thought the design was great, but expressed concern that it  
might be a little too "Yacht Club". Ms. Cairns Wells feels that Riverton is more than the  
Yacht Club. **Helen Mack** reported that this was talked a lot amongst the RIA members.  
It was felt that we are trying to get the essence of Riverton across. **Gene Bandine**  
commented that what is being proposed is a 100% improvement over what the eagle  
looks like now. Mr. Bandine believes that when you talk of Riverton, you're talking the

Yacht Club. What else is there? **Renee Azelby** inquired as to what steps would be taken to prevent the eagle from peeling again down the road. Ms. Matlack responded that we will epoxy the fiberglass so that the paint will adhere better. We are also looking at paint choices now that will provide long term protection.

Mr. Gunn asked if Mr. Brandenberger would be taking possession of the eagle if it is placed on his property. The Borough might want to consider some type of lease agreement with him or it could be easier just to donate the eagle to him. Ms. Cairns Wells raised concern that we would lose control over the eagle if we do that. Mr. Gunn then stated that the first step is to obtain something in writing from Mr. Brandenberger that he is willing to place the eagle on his property and give us an easement. We would then need to have a written agreement drawn up. Council took this issue under advisement.

**FINANCIAL ITEMS:** Mr. Kinzler

#### **TREASURER'S, FINANCE REPORT & BILL LIST FOR APPROVAL**

Mr. Kinzler moved that the attached reports for the month of November be approved as submitted. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

#### **RESOLUTION 68-11 TRANSFER RESOLUTION (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**UPDATE: 2011 TAX COLLECTION** The Treasurer reported that we have concentrated on getting our delinquency notices out and we have started making phone calls to those property owners who still owe either taxes or sewer to remind them to make their payments before the end of this year. This will be an ongoing process and Council will be kept informed.

**2012 BUDGET PLANNING** Mr. Kinzler announced that the Finance Committee would be meeting with individual Department Heads on December 27, 28 & 29<sup>th</sup> to review their budget requests for 2012.

#### **MEETING OPEN TO THE PUBLIC**

**Joe Threston, 307 7<sup>th</sup> Street** asked what was going on regarding the status of the police merger discussions. Ms. Cairns Wells responded that there have not been any other meetings held with Palmyra since the last time we met. Mr. Threston understands there had been discussion about reaching out to Cinnaminson Township. He asked if there has been any effort in that regard. Ms. Cairns Wells responded that one meeting was held with Cinnaminson representatives.

**Catherine Brown 515 Howard Street** asked where we stood regarding both the 2 hour and 15 minute parking limit issues along the general area of the business district on Howard and Main Streets.

Mr. Brown reported that there was a review of the parking situation at these locations by various Borough Officials. Mr. Brown provided an overview of the original Planning Board Resolution approving Milanese Pizza's Site Plan application. Mr. Brown reported that that we could create a loading zone in front of Milanese which must be a minimum of 50 feet. This would take away parking spaces which we recently created by

Ordinance, and this would not be practical. Mr. Brown also reported that to have an ordinance in place that would control the hours of delivery, we would have to apply it to the entire Borough, which would be unreasonable. Mr. Brown acknowledged that the scheduling of deliveries doesn't always work and is not something that store owners can easily control. Mr. Brown also reported that Chief Shaw has issued a special order to his officers to issue summonses to all violators. A discussion took place on the parking issues and concerns referenced and it was the consensus that potential options and remedies need to be explored more. Feedback and input will also be sought from the residents at these locations.

**Gene Bandine** stated that a similar parking situation has occurred in Cherry Hill Township and they have instituted some type of permitting parking. Ms. Cairns Wells stated that she thought the permitting parking issue was raised and discussed some time ago. Mr. Gunn stated that he thought it was in conjunction with people utilizing the light rail and then taking up parking spaces. Mr. Bandine would like to approach the owner of Yogawood to have her tell her employees that they are allowed to park on the Moccia lot behind Zena's. Mr. Bandine recommended that this issue be tabled until after the first of the year so that we can come up with a good solution.

**Catherine Brown, 515 Howard Street**, commented that in the time she has lived here, the 2 hour limit parking signs were up but were not being enforced. However, she has never had a problem parking near her home.

**Joe Threston** suggested mentioning these parking issues to the Planning Board for their review and consideration.

#### **COMMITTEE REPORTS**

##### **PUBLIC SAFETY/CODE ENFORCEMENT/COURT-Mr. Brown**

Chief Shaw read a report for the month of November. Vehicle Mileage 2048, Juvenile Arrests 0, Adult Arrests 8 (Shoplifting 5, Harassment 1, Contempt 1, Prescription Fraud 1), Motor Vehicle Accidents 4, Motor Vehicle Stops 105, Motor Vehicle Warnings 46, Motor Vehicle Summonses 59 (all Riverton), Alarms 7, Assistance to Other Agencies 31, Animal Complaints 6, Fire Calls 7, EMS Calls 14, Unattended Deaths 0, Criminal Cases 15, Incidents 242, Domestic 2, Thefts 9 (Theft of Credit Card 1, Theft of Jewelry 1, Theft Clothing 1, Shoplifting 6), Burglaries 2 Residences, Assaults 1, Sexual Assaults 0, Criminal Mischief 1, Robberies 0, Miscellaneous Calls 213, Total Calls Dispatched 455, Incidents 242 and Quick calls 213.

Mr. Brown read reports for October and November that were submitted by Deputy Fire Chief, Robert Yearly. For October there were 17 fire calls for the month, 3 drills, 8 calls in town and 9 calls out town. For November there were 16 fire calls for the month, 3 drills, 7 calls in town and 9 calls out of town.

Mr. Brown read reports for October and November that were submitted by Court Administrator, Jackie Gleason. The total receipts for the month of October amounted to \$6995.00 and the total amount disbursed to the Borough amounted to \$3,224.88. The total receipts for the month of November amounted to \$8274.25 and the total amount disbursed to the Borough amounted to \$3,708.52.

Regarding Code Enforcement, Mr. Brown reported that the County Board of Health was brought in to inspect a deteriorating property on Main Street.

**RESOLUTION 69-11**  
**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A LEASE**  
**AGREEMENT WITH THE RIVERTON FIRE COMPANY, INC. FOR THE**  
**YEARS 2012 AND 2013**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Brown, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye. **STREETS/SEWER/SHARED SERVICES/ECON DEV & RECYCLING-Mr. Smyth**

Mr. Smyth complimented the Public Works Department for their efforts in picking up all of the leaves. Mr. Smyth reported that he recently attended a ‘Wreaths Across America’ Ceremony. Public Work Manager Scott Reed reported that we might be looking at a possible Change Order pertaining to the current road improvements project. We would like to correct the water problem around the school. Council will be kept informed.

**PLANNING/REDEVELOPMENT/SCHOOL-Ms. Cairns Wells**

Ms. Cairns Wells reported that the Zoning Board has been dissolved by Ordinance 2011-12 and the newly constituted Planning Board will become effective as of January 1, 2012. Ms. Cairns Wells reported that the Planning Board Secretary has been instructed to bring all of the Planning/Zoning records presently housed at his home back to Borough Hall to be maintained here. Council will be kept apprised of this situation. Ms. Cairns Wells reported that we have received Requests for Proposals for our Professional Service appointments for 2012. They will be reviewed prior to Council’s reorganization meeting in January.

**ZONING/BD OF HEALTH/ENVIRONMENTAL-No Report**

**SHADE TREE/PARK & RECREATION-Mr. Myers**

Mr. Myers reported that the tree lighting ceremony was a success and was well attended. Mr. Myers reported that our Engineer has signed off on the release of the final payment to Gower’s, Inc. for Phase One of the Park Project.

**OLD BUSINESS-NONE**

**NEW BUSINESS**

**RESOLUTION 70-11**  
**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF**  
**RIVERTON AUTHORIZING THE DAY AND TIME FOR THE 2012**  
**REORGANIZATION MEETING**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Brown aye, Ms. Cairns Wells aye Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**RESOLUTION 71-11**  
**A RESOLUTION AUTHORIZING THE DAYS AND TIMES OF ALL COUNCIL**  
**MEETINGS FOR 2012**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**RESOLUTION 72-11**  
**A RESOLUTION PERMITTING THE EXCLUSION OF THE PUBLIC FROM A**  
**MEETING IN CERTAIN CIRCUMSTANCES PER SECTION 8 OF THE OPEN**  
**PUBLIC MEETINGS ACT. C.231 P.L.1975**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Brown, who moved for its adoption. This was seconded by Mr. Myers, with all present voting in the affirmative. It should be noted that Contract Negotiations-New Police Contract and Contract Negotiations-Possible Police Merger will be discussed.

At this time Ms. Cairns Wells moved that we return to public session. This was seconded by Mr. Brown, with all present voting in the affirmative.

There being no further business to discuss, Ms. Cairns Wells moved that the meeting be adjourned. This was seconded by Mr. Smyth, with all present voting in the affirmative.



Mary Longbottom, RMC  
Municipal Clerk